

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.25644 of 2018
Date of Decision.18.06.2018

Subhash

.....Petitioner

Vs

State of Haryana

.....Respondent

Present: Mr. Ashwani Kumar Antil, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The petitioner, who was posted as Taxation Inspector from 2013 to 2017 at Gurugram, had allegedly been involved in FIR bearing No.115 of 17.02.2018 registered under Sections 420/406/467/468/471/204 IPC and later on added Section 7 and 8 of Prevention of Corruption Act at Police Station Sadar Gurugram for having incorporated a firm which has caused loss to the State Exchequer for non-payment of GST.

Learned counsel appearing for the petitioner submitted that the petitioner has been arrested on 27.04.2018 and the challan has been filed. He submits that no useful purpose would be served as the petitioner has been arrested by the police on disclosure statement of another accused, therefore, it is yet to be seen whether the petitioner was instrumental in forming a company as allegedly referred to in the FIR or not.

Mr. Rajesh Gaur, Addl. A.G., Haryana on instructions from Inspector Vikas Kaushik submitted that the as per the

investigation, prima facie, case is made out against the petitioner but he does not dispute the factum of filing of the challan.

I have heard learned counsel for the parties, appraised the paper book and of the view that it would be a matter of evidence as to whether prosecution is able to prove the allegations made in the FIR but for the present, no useful purpose would be served in keeping the petitioner behind bars, particularly, when the petitioner is in Government service as Taxation Inspector and challan has been presented.

Without commenting upon merits and demerits of the case as it would be subject matter of trial and keeping in view the aforementioned facts and circumstances, I deem it appropriate to grant concession of regular bail to the petitioner. Resultantly, the crl. petition is allowed and the petitioner is ordered to be released on bail subject to furnishing of bail bonds to the satisfaction of the Duty Magistrate/CJM, Gurugram and subject to the condition that he will surrender his passport and will not leave the country without permission of the Court.

(AMIT RAWAL)
JUDGE

June 18, 2018

Pankaj*

Whether reasoned/speaking

Yes

Whether reportable

No