

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc. No. M-26562-2018 (O&M)
Date of Decision: 11.09.2018**

Harkirat Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Nakul Sharma, Advocate for the petitioner.
Mr. Pawan Sharda, Sr. DAG, Punjab.
Mr. Raj Kumar Arya, Advocate for the complainant.

...

Inderjit Singh, J.

CRM-21910-2018

Application is allowed, subject to all just exceptions.

Criminal Misc. No. M-26562-2018

Petitioner Harkirat Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.41 dated 27.04.2018, registered at Police Station Kalanaur, District Gurdaspur, under Sections 409 and 120-B read with Section 13(1) of the Prevention of Corruption Act, 1988.

Notice of motion was issued.

Learned State counsel and counsel for the complainant have appeared and contested the instant petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

As per the allegation in the FIR, an auction was conducted in

plots for lesser amount and in this way, the present petitioner, who was Sarpanch at that time, caused loss to the tune of ₹33 lacs to the exchequer.

As per learned counsel for the petitioner, the complaint was given after about 4 years i.e. on 14.04.2018 and the FIR was registered on 27.04.2018.

Learned State counsel submitted that the challan has already been presented in this case.

The petitioner has been in custody since 02.05.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. As the challan has already been presented, he has only to face the trial. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

11.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No