

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37114 of 2018

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Date of decision:12.9.2018

Shiv Kumar

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Bipan Ghai, Senior Advocate with Mr. Deepanshu Mehta,
Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab for the
respondent-State.

Mr. P.S. Ahluwalia, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.23 dated 31.7.2018 (Annexure-P.1)
registered for the offences under Sections 7 and 13 (2) of Prevention of
Corruption Act and Section 120-B IPC at Police Station Vigilance Bureau,
Patiala.

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has appeared on behalf of the respondent-State and Mr. P.S. Ahluwalia, learned Advocate has appeared on behalf of the complainant and contested this petition.

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

From the record, I find that the FIR in the present case has been registered on the statement of Sukhdev Singh. He has stated in the FIR that his wife Gurmit Kaur is the Sarpanch of the village. ₹26 Lakhs grant was received for the streets, drains etc. and the work was got done. Panchayat Secretary Dhan Singh co-accused of the petitioner was handed over the copies of the bills to get recorded the entries of these bills from Shiv Kumar, A.E. (present petitioner) in the M.B. Book. The co-accused Dhan Singh, Panchayat Secretary took ₹1,25,000/- by saying that to get the entries recorded of these bills from A.E., this amount is to be paid. After some days, again the present petitioner along with the Panchayat Secretary came to the house of the complainant and asked for ₹1,04,000/- @4% of the amount spent.

Learned State counsel argued that there are so many other complaints coming from other villages against the present petitioner.

The petitioner has been in custody since 31.7.2018. He is not required for any investigation or interrogation purposes. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the trial.

Therefore, 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 bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

September 12, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No