

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

(i) CRM No.M-44157 of 2015 (O&M)

Shekhar @ Ram Narain

...Petitioner

VERSUS

State of Haryana and another

...Respondents

(ii) CRM No.M-432 of 2016 (O&M)

Pankaj Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

(iii) CRM No.M-1988 of 2016 (O&M)

Ramesh @ Rameshwar @ Ram Dayal

...Petitioner

VERSUS

State of Haryana

...Respondent

Date of Decision: July 16, 2018

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Gautum Dutt, Advocate
for the petitioners.

Mr.Sukhdeep Parmar, DAG, Haryana
for the respondent-State.

Mr.P.S.Virk, Advocate
for respondent No.2 (in CRM No.M-44157 of 2015).

INDERJIT SINGH, J.

All the above-mentioned cases are taken up together as these have arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0664 dated 02.12.2015 under Section 420 IPC and Section 9 of Prevention of Corruption Act, registered at Police Station Hodal, District Palwal.

Notice of motion was issued. Learned State counsel as well as learned counsel for respondent No.2 appeared and contested the petitions.

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

The FIR in the present case has been registered on the basis of application moved by Digambar Singh, Jawahar Singh and Bhoop Singh. As per the allegations, Razak came to the house of complainants and told that there are lot of vacancies in the Electricity Board for the post of Clerk and Peon and Ramesh @ Rameshwar @ Ram Dayal is working in the Electricity Board and he has good acquaintance with senior officers and Ministers and he can get their children a job and they will have to spend money. As per the allegations, Jawahar Singh gave ₹5 lakhs on 25.05.2012, Bhoop Singh gave ₹4 lakhs on 29.05.2012 and ₹1 lakh was paid by Digambar. The occurrence is of the year 2012 and the FIR has been got registered on 02.12.2015 i.e. after three years.

Interim bail was granted to petitioner Shekhar @ Ram Narain in the year 2015 and other petitioners have also been granted interim bail in January 2016. The petitioners have already joined the investigation. There

is no cogent explanation for the long delay in registration of the FIR. The petitioners are not required for custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioners are entitled to benefit of grant of anticipatory bail. Therefore, all the petitions are accepted and the order dated 24.12.2015 passed in CRM No.M-44157 of 2015, order dated 11.01.2016 passed in CRM No.M-432 of 2016 and order dated 20.01.2016 passed in CRM No.M-1988 of 2016 granting interim bail to the petitioners, are made absolute.

However, nothing stated above, shall constitute my opinion on merits of the case.

July 16, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No