

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45306-2018

Date of Decision: 05.12.2018

Vikas Sharma

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Gursharan K. Mann, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Vikas Sharma has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.0203 dated 07.05.2018, registered at Police Station Civil Lines, District Amritsar Rural, District Police Commissionerate Amritsar, under Sections 419, 420, 409, 467, 468 and 471 of the Indian Penal Code, 1860 Sections 13(1)(a) and 13(1)(d) of the Prevention of Corruption Act, 1988.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

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

The FIR was registered on the basis of application of Surinder Kumar Sharma, Executive Engineer, Water Supply and Sanitation Department, Division No.1, Amrtisar moved to the Commissioner of Police, Amritsar against present petitioner Vikas Sharma with the allegation that

the present petitioner by forging the signatures of the complainant, had withdrawn the earnest money of the contractors and misappropriated the same and had not given it to the contractors. In this way, he has misappropriated the amount of ₹15,00,000/-.

Challan has already been presented. The petitioner has been in custody since 30.07.2018. 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. No useful purpose will be served by keeping the petitioner 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.

05.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	No
Whether reportable	No