

CRM-M-50611-2018

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

CRM-M-50611-2018

Date of Decision: 26.11.2018

Kuldeep Singh Walia

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Bhardwaj, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.14 dated 31.05.2018, registered at Police Station Vigilance Bureau, District Ferozepur, under Sections 7 and 13(2) of the Prevention of Corruption Act, 1988 and Section 420 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has 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.

From the record, I find that as per the allegations, the present petitioner having local rank was not competent to investigate the case under the Prevention of Corruption Act, 1988. However, he called

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Shehzada Ram on 22.12.2016 in his office and demanded ₹3 lacs from him as bribe for getting big favour and for submitting untraced report in the case. As per the prosecution version, ₹1,00,000/- was paid on 22.12.2016 and ₹50,000/- on 11.01.2017. It is also alleged that ₹50,000/- was returned on 27.01.2017 and further ₹50,000/- was returned on 14.02.2018.

Learned counsel for the petitioner submits that money is stated to have been paid in January, 2017 and the present FIR has been registered on 23.01.2018. i.e. after a long delay which has not been explained and a false case has been registered.

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, I find that the present petitioner has been in custody since 12.10.2018; that he is not required for any investigation or interrogation purposes and that trial of the case may take a long time, therefore, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case. Finding merit in the present petition, the same is allowed. 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.

26.11.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No