

CRM-M-49865-2017

Date of Decision : 22.01.2018

Ram Lal

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**Present:** Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Mr. S.S. Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, JUDGE (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.24 dated 27.10.2017 under Sections 7, 13 (2) of Prevention of Corruption Act registered at Police Station, Vigilance Bureau, Jalandhar.

FIR came to be registered on the statement of the complainant with the allegations that the petitioner while serving as Sub Divisional Officer of the Punjab State Power Corporation Limited raised a demand and accepted illegal gratification to process the file pertaining to release of a tubewell connection under the Tatkal Scheme to the complainant.

Petitioner was arrested on 27.10.2017.

Investigation in the case is complete and the challan has already stands presented.

The trial is at the very initial stage and would take time to conclude.

Even though it is the prosecution version that there was a recorded conversation between the complainant and the petitioner-accused

as regards demand of illegal gratification yet it has gone uncontroverted that voice sample was not furnished by the petitioner and as such recorded conversation is not supported by any expert opinion/report from the FSL.

It is not even the case made out on behalf of the State that in case petitioner is granted benefit of regular bail he would be in a position to hamper the course of the free and fair trial. Concededly, prosecution has cited five witnesses i.e. the complainant himself, his wife a shadow witness, a Deputy Superintendent of Police and other official witnesses.

The petitioner is today a suspended Sub Divisional Officer.

I find considerable merit in the contention raised by counsel for the petitioner that the petitioner would not be in a position to intimidate or influence the witnesses.

In view of the above and without making any observation on merit, petitioner is held entitled to the benefit of bail.

The present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Trial Court/Duty Magistrate, Jalandhar.

(TEJINDER SINGH DHINDSA)
JUDGE

22.01.2018

Neha

Whether Speaking/Reasoned: Yes/No

Whether Reportable: Yes/No