

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-6989-2018

Date of Decision: 16.03.2018

Mohamed Ishaq

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Nafees Ahmed, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) This is the third application seeking pre-arrest bail in case FIR No.648 dated 31.12.2010 u/s 406/409/420/467/468/471/120-B IPC and u/s 7&13 of the Prevention of Corruption Act, 1988 registered at PS Nuh, District Mewat. The first petition filed by the petitioner was dismissed by this Court on 31.05.2011. It may be mentioned here that the allegations pertained to execution of sale deeds in respect of the properties which had been acquired by the State as well as *re*: transfer of compensation amount in favour of the subsequent vendees who secured title through distress sales. The petitioner was one of the Sub Registrar.

(2) It is not known whether he was declared as Proclaimed Offender or not but after dismissal of his anticipatory bail petition on 31.05.2011, he again approached this Court by way of second petition (CRM-M-41215-2017) which was withdrawn with liberty to surrender before the trial Court and seek regular bail. It was directed that in case the petitioner would surrender and apply for regular bail, such application shall be decided within one week. Unfortunately, the petitioner did not comply with the said order also.

(3) The third bail petition has now been filed relying upon some medical reports to show that the petitioner has precarious health condition.

(4) In my considered view, the health condition of the petitioner will be a relevant mitigating circumstance to be kept in view by the trial court while considering his application for regular bail. Needless to say that if the health condition so require, learned trial court shall decide the bail application within three days.

(5) Disposed of.

16.03.2018
vishal shonkar

(Surya Kant)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No