

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

CRM No.M-9344 of 2018 (O&M)

Date of Decision: July 11, 2018

Milakh Raj

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sandeep Punchhi, Advocate
for the petitioner.

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

Mr.G.S.Sidhu, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0019 dated 05.09.2017 under Section 7 of the Prevention of Corruption Act, registered at Police Station SVB, Hisar.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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

Learned counsel for the petitioner submitted that petitioner had

retired from the service in the year 2016. The allegations are with regard to

demand of illegal gratification of ₹25000/- from the complainant to facilitate a demarcation. No money was paid and only demand is stated to have been made long time ago before the retirement of present petitioner. Furthermore, demand was raised on 19.06.2015 whereas the application for registration of the FIR was given on 10.05.2016 i.e. after about one year and the FIR has been registered in the present case on 05.09.2017.

The petitioner has already joined the investigation. His voice sample has been taken. The trial of the case will take long time. No useful purpose will be served by sending the petitioner 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 the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 12.03.2018 granting interim bail to the petitioner, is made absolute.

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

July 11, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No