

Raj Kumar

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Jagmohan Ghumman, Advocate for the petitioner.

Mr. Mukesh Yadav, Advocate for the complainant.

Mr. Sukhdeep Parmar, DAG Haryana assisted by
SI Vijay Pal.

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VIVEK PURI, J. (ORAL)

Petitioner-Raj Kumar has prayed for grant of regular bail in case FIR No. 501 dated 27.12.2017, registered under Section 409 IPC, 1860, Police Station Kanina, District Mahendergarh.

The precise allegations against the petitioner are to the effect that during his tenure as Sarpanch from the year 2010-2015 there was an embezzlement with regard to the amount to the extent of ₹ 4,79,817.22 paisa with regard to the purchase of dustbins. There is a delay of more than 2 years in lodging the FIR. The petitioner has ceased to hold the office of Sarpanch. The petitioner was arrested on 11.11.2019. His custodial interrogation is over and he has been in judicial custody. The offence under Section 409 IPC is triable by Judicial Magistrate First Class.

Considering the above and the fact that the trial is likely to consume some time, further detention of the petitioner may not be justified.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

11.12.2019

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No