

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

CRM-M-52969-2019

Date of Decision : December 18, 2019

Raj Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Manoj Chahal, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 08 dated 14.8.2019 under Sections 7 and 13 of the Prevention of Corruption Act, 1988 read with Section 120-B IPC, registered at Police Station SVB, Gurugram, during the pendency of the appeal.

Counsel for the petitioner submits that the petitioner is having a long service record of about 33 years and is not involved in any such or similar case, during this period. Counsel for the petitioner further submits that the allegations in the FIR are that the petitioner has demanded the money after the execution of the convince deed and, therefore, it is a matter of trial whether he has made any illegal demand. Counsel for the petitioner further submits that the petitioner is in custody since 14.8.2019; the challan stands presented and the case is now fixed for 30.1.2020 for prosecution evidence. He has further

submitted that even the FSL report regarding the voice comparison is awaited, therefore, the challan is still incomplete.

Learned State counsel, on instruction from Inspector Vinod Kumar, has not disputed the factual position.

Without commenting anything on the merits of the case; considering the submissions made by counsel for the petitioner; the petitioner is in custody for the last about 04 months and is not involved in any other case and the case is still at the stage of starting of the prosecution evidence, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

December 18, 2019

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Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO