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

**CRM-M No.813 of 2020  
Date of Decision: 13.02.2020**

**VIJAY SINGH**

**.....Petitioner**

**Vs**

**STATE OF HARYANA**

**.....Respondent**

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: Mr. Ganesh Chand Sharma, Advocate and  
Ms. Ruchi Gupta, Advocate  
for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

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**RAJ MOHAN SINGH, J.(Oral)**

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.4 dated 05.09.2019, registered under Sections 420 & 120-B IPC and Section 7-A of the Prevention of Corruption Act at Police Station SVB Faridabad.

The FIR was registered with the allegations that on 05.09.2019, the DSP along with ASI Sehdev and other were present in a Government vehicle on duty at Mini Secretariat, Palwal. Complainant Vijay Kumar came present and submitted a written complaint in respect of demand of Rs.10,000/- allegedly made by Krishan, Contractor.

The complainant alleged in the complaint that he wanted to construct house on his own land, but due to high tension wires of 11000 KV, the construction work was being delayed. For shifting of the said electric line at some other place, the complainant had given an application to the Contractor for removal of the line. For removal of the line, an estimate of Rs.50,000/- was given and the complainant had paid the same to the Contractor on 24.08.2019. Thereafter, Contractor started work w.e.f. 26.08.2019. JE and SDO also came to the spot and by that time even one line was shifted out of the land.

Further allegations are that on 26.08.2019, after completion of half work, the Contractor stopped the work in between and asked some amount from the complainant towards expenses. The complainant gave an amount of Rs.7500/-, but the Contractor did not start the work even thereafter and he also stopped receiving phone calls of the complainant. The complainant was asked to contact the Contractor and thereafter the complainant contacted the Contractor on telephone and the Contractor demanded an amount of Rs.15,000/- towards expenses and asked for bribe of Rs.10,000/- on the pretext that the same was to be given to JE and SDO of the Department. Complainant did not want to make the payment and thereafter, a

trap was laid and the Contractor was caught red handed on 05.09.2019, when he was present in a saloon. Recovery of Rs.10,000/- was effected from the Contractor.

The Contractor has been granted regular bail by this Court vide order dated 14.01.2020 passed in CRM-M No.44626 of 2019. Petitioner is in custody since 13.10.2019.

On a pointed query as to the anomalies appearing in the challan viz-a-viz. the disclosure statement, learned State counsel on instructions from DSP Vijay Pal submitted that the same is on account of some misconception of facts and the same is not that material which would tilt the balance in favour of the accused. Challan has been presented.

Be that as it may, since the co-accused has been granted regular bail by this Court, complicity of the petitioner would also remain debatable.

At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody since 13.10.2019 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 13, 2020

*Atik*

**(RAJ MOHAN SINGH)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No