

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

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**CRM-M No. 6069 of 2020
Date of decision:18.2.2020**

KARAMBIR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

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

Present: Mr.Suneel Ganga, Advocate
for the petitioner.

Mr.Anmol Malik, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

This petition has been filed under Section 439 Cr.P.C.
for grant of regular bail in case bearing FIR No.0617 dated
4.9.2019 registered under Sections 406, 420, 506 IPC and
Section 13 (1) (d) of the Prevention of Corruption Act (added
later on) at Police Station Assandh District Karnal.

Learned counsel for the petitioner relies upon order
dated 27.1.2020 passed in CRM-M No. 53361 of 2019 titled
Balvinder Singh vs. State of Haryana and contended that the
allegations forming subject matter of FIR are that wife of co-
accused Balvinder Singh is a Municipal Councillor and Balvinder

Singh used to act on behalf of his wife. Petitioner is also a Municipal Councillor. An amount of Rs.34,500/- is the alleged booty shared by the petitioner and co-accused Balvinder Singh jointly. After conniving with each other, they have filled forms on behalf of many families by taking their documents for the purpose of allotment of houses in Pradhan Mantri Awas Yojna.

According to the disclosure statement of the petitioner, an amount of Rs.17,500/- came to his share out of which an amount of Rs.4,500/- has been recovered from him. Co-accused Balvinder Singh has already been granted bail.

The factual position has not been denied by learned State counsel. However, learned State counsel submits that challan has been presented. Out of total 12 prosecution witnesses, no prosecution witness has been examined so far as the charges are yet to be framed.

Petitioner is not a public servant, therefore involvement of the petitioner vis-a-vis the offences under the Prevention of Corruption Act would also remain debatable. Petitioner is in custody since 5.9.2019.

In view of aforesaid position, without meaning anything on the merits of the case, this petition is allowed. Petitioner is ordered to be released on regular 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 18, 2020

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No