

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

**CRM-M-7892 of 2020 (O&M)
Date of Decision:02.03.2020**

Rajbir

.....Petitioner

Versus

State of Haryana

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Ashit Malik, Advocate for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

The is the second petition preferred under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.34, dated 23.01.2018, under Sections 384/120-B IPC and 7/8/13 of the Prevention of Corruption Act, registered at Police Station Tosham, District Bhiwani.

Counsel for the parties have been heard.

FIR in question was registered on the complaint of Ravinder who stated himself to be owner-cum-Driver of a Dumper bearing Registration No.HR-61A-0413. Allegations are that a barricade having been set up for checking overloaded trucks at a particular spot, illegal gratification was demanded and paid so as to facilitate the vehicle of the complainant to pass through.

Petitioner was arrested on 23.01.2018. He was granted benefit of bail vide order dated 10.04.2018 (Annexure P-3) passed by the learned

Sessions Judge-cum-Special Judge, Bhiwani under the Prevention of Corruption Act 1988.

Apparently, petitioner abstained from trial proceedings on 07.02.2020. Accordingly benefit of bail was cancelled.

Petitioner is stated to have surrendered thereafter on 15.02.2020.

On 07.02.2020 itself an application for exemption had also been moved on the ground that his father was unwell. However, such exemption had not been granted.

State Counsel upon instructions from ASI Rajbir, PS Tosham, Bhiwani, informs the Court that the other co-accused had been granted the benefit of bail.

Trial is at the very initial stage and would take time to conclude.

Without making any observations on merits and on the ground of parity, petitioner is held entitled to the benefit of bail. '

Petitioner namely Rajbir be enlarged on bail subject to the satisfaction of the Trial Court/Duty Magistrate concerned.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 02, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No