

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(214)

CRM No. M-32400-2020 (O&M)

Date of Decision : 16.10.2020

RAM SINGH

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Akshay Bhan, Senior Advocate with
Mr. Rohit Nagpal, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

CRM-25415-2020

Application is allowed, as prayed for.

CRM No. M-32400-2020

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 07 dated 18.05.2017, under Sections 13(1)D, 13(2) of Prevention of Corruption Act, 1988 and Section 420, 467, 468, 471, 120-B of IPC, registered at Police Station Vigilance Bureau, District Patiala.

Learned senior counsel appearing on behalf of the petitioner argues that the petitioner has been involved in the present FIR on the ground that intentionally a wrong certificate was given by the petitioner showing that no encumbrance was there on the land, which was being

certified by the petitioner and on the basis of the said certificate, the action was taken by the Tehsildar and thereafter, those documents were used by the other co-accused to get the loan from the bank, which was later on not paid back. Learned senior counsel for the petitioner submits that petitioner has already retired and all the documents are already in possession of the police and the investigation is already over as the challan has already been submitted and, therefore, no useful purpose will be served in keeping the petitioner behind the bars as the trial is likely to take some time.

Learned State counsel very fairly submits that the challan has already been presented and no recovery of the documents is to be done from the petitioner, at this stage.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Challan has already been presented and even the FIR was registered after holding a preliminary enquiry and the petitioner is already a retired employee and hence, cannot temper with any record, which is already in the possession of the police. No useful purpose will be served in keeping the petitioner behind the bars any further as the trial is likely to take some time before the same concludes. The petitioner has made out a case for the grant of benefit of regular bail.

The petitioner be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner as the challan has already been presented and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 16, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No