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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.35566 of 2019 in/and
CRM-M No.33018 of 2019 (O&M)
Date of Decision: 24.01.2020

RAJESH NARANG

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Abhishek K. Premi, Advocate for
Mr. Amit Jhanji, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J.(Oral)

CRM No.35566 of 2019

For the reasons mentioned in the application, the same
is allowed.

Accompanying documents are taken in record.

CRM-M No.33018 of 2019 (O&M)

Petitioner seeks grant of regular bail under Section 439
Cr.P.C in case bearing FIR No.20 dated 13.04.2019, registered
under Sections 13(1)(d) of the Prevention of Corruption Act,
1988, Section 13(1)(d) was deleted and Section 13(1)(b) and
Section 7 of the Act was added at Police Station Sector 13-17,

Panipat.

The FIR was registered on the basis of secret information. The secret information was in the context of recovery of documents of RTA Office. A *naka* was laid and the documents were seized from the car in which the petitioner was one of the occupants. The police has recovered an amount of Rs.3,50,000/- also. The offences under Prevention of Corruption Act have also been added. The prosecution has relied upon statements of Rajpal Singh, Sanjay, Anil Kumar and Samunder Singh in the context of alleged payment made to the accused/petitioner and his associate.

Perusal of the statements of the aforesaid persons recorded subsequent to the registration of the case would remain debatable as to the connectivity of the recovered amount with the alleged payments made by these persons.

Learned State counsel on instructions from SI Rajbir Singh submitted that challan has been presented and even charges have been framed. Out of 33 prosecution witnesses, none has been examined so far.

The recovery from the car is *prima facie* not on account of any demand made by the accused, even as per prosecution case. Recovery of the amount whether being tainted amount or

not would also remain debatable. The trial of the case may take some time in its culmination.

At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody since 12.04.2019 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.

January 24, 2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No