

216

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.44644 of 2019 (O&M)

Date of Decision: 24.01.2020

JASBIR SINGH

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J.(Oral)

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	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No