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

CRM-M-5702-2021

Date of Decision: 12.02.2021

Paramjeet Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Sharma, Advocate for the petitioner.
Kanwar Sanjiv Kumar, AAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.8 dated 18.11.2020 under Section 7 Prevention of Corruption Act, 1988 (Section 13(1)(b) P.C. Act, 1988 added later on) registered at Police Station State Vigilance Bureau, District Karnal. The petitioner is in custody since his arrest on 18.11.2020.

The FIR was registered on the basis of complaint given by Irshad and the allegations as noticed by Id. Addl. Sessions Judge, Karnal in the order dated 28.01.2021 are as under:

“In brief, the allegations against the applicant-accused as per police reply are that on 18.11.2020 complainant Irshad came present at the office of State Vigilance Bureau, Karnal and presented a written application to the effect that they have ancestral land at Village Nagal, Tehsil Indri, District Karnal where consolidation work is going on. Paramjeet Patwari (present applicant-accused) is appointed in the village and carrying out the work of consolidation. In lieu of showing land in the name of their ancestors, the said Paramjeet Patwari (present applicant-accused) had taken sum of ₹50,000/- from them at New Anaj Mandi, Indri, Karnal in the presence of Rajinder Kumar s/o Ram Singh and now he was demanding another sum of ₹5,000/-. They do not want to pay any further amount to Paramjeet Patwari (present applicant-accused) and appropriate legal action be taken against him. On the basis of said application, the present FIR was registered.

Learned counsel for the petitioner has argued that the complainant does not own any land in the village, where the alleged consolidation was going on and the petitioner has been falsely implicated. He has invited the attention of the Court to the said information provided in this respect on 07.01.2021 (Annexure P-2). He has further pointed out that the investigation of the case is complete, therefore, the further custody of the petitioner may not be necessary.

On the other hand, learned State counsel assisted by DSP Sunil Kumar, has opposed the prayer on the ground that acting upon the information of the complainant, a trap was laid and a sum of ₹5,000/- was recovered from the petitioner. However, he submits that the final report was filed on 14.01.2021 and the case before the trial Court is fixed for 18.02.2021 for framing of charges.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely to take some time to conclude. Admittedly, the petitioner is presently confined in judicial custody since 18.11.2020, therefore, his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Karnal.

The petition is allowed.

12.02.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE