

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

CRM-M-15213-2021 (O&M)

Date of decision: 09.04.2021

Darshan Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bikramjeet Singh Jatana, Advocate for the petitioner.

Mr. H. S. Sitta, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 08 dated 16.06.2020 registered under Sections 420, 465, 467, 468, 471, 120-B IPC and Sections 7, 13(1)(a) of the Prevention of Corruption Act, 1988 as amended by Prevention of Corruption Act, 2018, at Police Station Vigilance Bureau, Bathinda, Range Bathinda (Unit Mansa).

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the above noted FIR. The allegation against the petitioner is that he had been taking bribe from the public for issuing fake disability certificates, false dope reports and MLRs and referring the patient

under Ayushman Bharat Jan Swasthya Yojna to private hospitals. In fact, the duty of the petitioner was to provide medicine and dispensary items to the patients, who are admitted in the hospital. It is further submitted that the petitioner was not the signatory to any such alleged dope test report, Handicapped certificates or MLRs etc.

Learned counsel for the petitioner further submits that challan has already been presented before the trial Court and out of 36 witnesses, only one has been examined thus far. The petitioner has been in custody since 16.06.2020.

Learned State counsel while opposing the prayer for regular bail, has not disputed the factum of custody period of the petitioner as well as the presentation of the challan before the trial Court. He, on the instructions from Sandeep Singh, Deputy Superintendent of Police, Vigilance Bureau, Bathinda, has brought to the notice of this Court that the bail petitions i.e. CRM-M-21375-2020 and CRM-M-20771-2020 filed by the co-accused, namely, Anil Kumar and Tejinderpal Sharma respectively, were dismissed by this Court. It is also contended that the Vigilance Bureau had intercepted the mobile communications of all the accused, which would reveal the involvement of the petitioner in the present case.

At this stage, learned counsel for petitioner points out that as far as the first bail applications filed by the co-accused, namely, Anil Kumar and Tejinderpal Sharma are concerned, those bail applications were dismissed by this Court prior to the filing of the challan whereas in the present case, the challan has been presented on 06.10.2020. Moreover, four co-accused have already been granted regular bail.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.06.2020. The trial will take time to conclude. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

09.04.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No