

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.17003 of 2021 (O&M)
Date of Decision.28.04.2021
(HEARD THROUGH VC)

Sushil Kumar

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Tarunveer Vashist, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.09 dated 21.08.2020 under Sections 420, 465, 467, 468, 471 and 120-B IPC and Sections 7, 7 (a) and 8 of the Prevention of Corruption Act registered at Police Station Vigilance Bureau, Flying Sq., Mohali.

Learned counsel for the petitioner *inter alia* would contend that the petitioner has been falsely implicated in the said matter. She relies upon an order passed in CRM-M No.33327 of 2020 and other connected matters whereby similarly situated persons have been allowed regular bail. It is contended that the petitioner herein is also similarly situated. The investigation has been completed and the challan stands presented. It is further argued that as on date, the State has not obtained sanction to prosecute the petitioner under the Prevention of Corruption Act.

Learned counsel appearing for the respondent-State opposes grant of bail to the petitioner by contending that no ground is made out for

grant of concession of bail to the petitioner, however, she does not dispute the fact that sanction to prosecute the petitioner under the Prevention of Corruption Act has not been obtained.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and the challan stands presented and similarly situated persons have been granted regular bail by this High Court vide order dated 31.03.2021 passed in CRM-M No.33327 of 2020 and the fact that owing to COVID-19 pandemic, the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

April 28, 2021
Pankaj*

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