

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

DECIDED ON: 26th August, 2021

(1) CRM-M-23588-2021

Paramjit Sharma

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-31271-2021

Om Parkash

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. HPS Snadhu and Mr. J.S. Moudgill,
Advocate for petitioner(Paramjit Sharma).

Mr. P.S. Ahluwalia, Advocate for petitioner(Om Parkash).

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

These petitions under Section 439 Cr.P.C. are filed seeking regular bail in case of FIR No. 15 dated 21.5.2021, under Section 7 of the Prevention of Corruption Act, 1988 as amended via Amendment Act, 2018 and under Section 120-B of Indian Penal Code, 1860, registered at Police Station Vigilance Bureau, Patiala, District Patiala.

As per the FIR, there were allegations that officials of FCI used to charge Rs.25,000/- per stack of rice for passing of vehicles and thereafter for storage in the depot of FCI. Acting on the information, a trap was laid.

Currency notes totaling Rs.58,000/- having application of phenolphthalein powder were handed over to Om Parkash (petitioner) who went inside the office and handed over the amount to private person Paramjeet (petitioner) for keeping it in safe custody. Traces of chemical was found on the hands of both the petitioners.

Learned Senior counsel for the petitioners submits that the petitioners are in custody since 21.5.2021; investigation is complete and no recovery is to be effected. He relies upon the fact that Naresh Kumar co-accused, who was working as a Quality Control Manager, was granted interim bail by this Court on 18.6.2021.

Learned State counsel relying upon the pleadings of the reply filed and on instructions from ASI Krishan Kumar opposes the prayer for bail.

The petitioners are in custody since 21.5.2021; investigation is complete; challan stands presented; conclusion of trial is likely to take time; no useful purpose would be served by keeping the petitioners behind bars. Bail is granted to the petitioners on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Photocopy of this order be placed on the file of connected case.

(AVNEESH JHINGAN)
JUDGE

26th August, 2021

reema

Whether speaking/reasoned Yes

Whether reportable Yes