

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

CRM-10665 of 2021 in/and
CRM-M-42465 of 2020
Date of Decision: 06.04.2021

Dr. Shiv Prem Kumar SharmaPetitioner

Versus

State of Haryana ...Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vivek Khatri, Advocate for the applicant-petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARINDER SINGH SIDHU, J.

CRM-10665-2021

Present application has been filed under Section 482 Cr.P.C. for placing on record copy of the order dated 02.11.2020 (P-3).

For the reasons enumerated in the application, the present application is allowed and the order (Annexure P-3) is taken on record.

CRM-M-42465 of 2020

Present petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No. 43 dated 09.02.2020, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Industrial Area Bhiwani, District Bhiwani.

The petitioner is a retired Colonel. As per the allegations in the FIR, the petitioner and his co-accused namely Paramjeet, Vikas and others received Rs. 1 Crore and 74 lacs from the complainant on the assurance of providing job in the Army to various persons. It is alleged that the said amount was collected @ Rs. 6 lacs per candidate

from 30 different persons. However, neither the money was returned; nor the petitioner and other co-accused got them a job in the Army.

Learned counsel for the petitioner argued that no part of the alleged amount has been deposited in the account of the petitioner. The petitioner is in custody since 20.09.2020. Investigation in the case is complete and the recoveries have already been effected from the petitioner. He states that the petitioner is a senior citizen aged about 63 years and is suffering from various health issues.

Without commenting anything on merits of the case and keeping in view the fact that trial is likely to take long time to conclude in the near future more so in the wake of outbreak of pandemic COVID-19, no useful purpose will be served by keeping the petitioner behind the bars till the conclusion of trial.

Accordingly, this petition is allowed. Petitioner-Dr. Shiv Prem Kumar Sharma is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

[HARINDER SINGH SIDHU]
JUDGE

April 06, 2021
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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no