

205-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48686-2021
Date of Decision:15.12.2021

SUMIT KUMAR

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Raman Chawla, Advocate for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.08 dated 06.08.2021, under Sections 120-B of IPC, 1860 and Sections 7, 7-A, 49 and 88 of Prevention of Corruption Act, 1988, registered at Police Station SVB Nagar, District Hisar.

The complainant-Ram Bilas alleged that Suresh Chaudhary, Drug Control Officer and Ram Pal demanded Rupees Forty thousand for issuing drugs licence for running a wholesale business of medicine. The complainant approached the Vigilance Bureau and a trap was laid. Currency notes worth Rupees Fourty thousand were led with Phenolphthalein Powder, Ram Pal was apprehended red handed accepting the amount. Rupees Two thousand were recovered from the present petitioner.

The counsel for the petitioner submits that the petitioner is in custody since 06.08.2021, the investigation is complete. The submission is that the petitioner is not a Government official, he owned a car which was hired by Suresh Chaudhary, Drugs Control Officer. It was at asking of Suresh Chaudhary that

petitioner went with Ram Pal. He further submits that Suresh Chaudhary, was granted anticipatory bail by this Court.

The opposition by the State counsel to the bail petition is on the ground that Rupees Two thousand out of Rupees Fourty thousand currency notes, prepared for handing over to the accused was recovered from the petitioner. He fairly submits that challan has been presented.

The petitioner is in custody for more than five months, investigation is complete and no further recovery is to be made. The co-accused was granted anticipatory bail by this Court. No useful purpose would be served by depriving the petitioner of his personal liberty. The present petitioner is granted concession of regular bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The present petition is allowed.

(AVNEESH JHINGAN)
JUDGE

December 15, 2021

Jyoti Whether speaking/reasoned Yes/No Whether Reportable Yes/No