

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

CRM-M-51511 of 2021

DECIDED ON: 16th December, 2021

Naresh Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ankur Tyagi, Advocate for petitioner.

Mr. Surender Singh, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

The petitioner is before this Court under Section 439 Cr.P.C. for grant of regular bail in case of FIR No. 2 dated 9.1.2019 under Sections 7, 8, 10 of the Prevention of Corruption Act, 1988 and Section 120-B IPC, registered at Police Station Vigilance Bureau, Karnal.

The allegations of the complainant Rinku Verma are that the petitioner along with Mamta Bhaskar demanded bribe for getting his file cleared from Ashwani Madan, District Social Welfare Officer. A compact disk containing conversation between the complainant, petitioner and Mamta Bhaskar was produced. The voice sample of the petitioner was taken and as per the FSL report, the voice matched with the recording.

Learned counsel for the petitioner submits that the petitioner is not an official of Social Welfare Office. He had no authority to deal with the file of the complainant. The petitioner is in custody since 26.8.2021 and the investigation is complete. He further relied upon the order of this Court whereby accused Ashwani Madan was granted anticipatory bail.

Learned State counsel opposes the prayer for grant of bail and submits that the voice sample of the petitioner matched with the recording in the compact disk. It was the petitioner who made a demand of illegal gratification for getting the file cleared of the complainant from Ashwani Madan.

Investigation is complete, challan stands presented, the petitioner had given his voice sample, no further recovery is to be made, conclusion of trial is likely to take time and that co-accused was granted anticipatory bail by this Court, the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

(AVNEESH JHINGAN)
JUDGE

16th December, 2021

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>