

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

234

**CRM-M-23528 of 2022 (O&M)
DECIDED ON:28th July, 2022**

Dilbag Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Jatinder Dhanda, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.32 dated 23.7.2015 under Section 7, 13(1) (d) of Prevention of Corruption Act, 1988, registered at Police Station SVB, Gurugram.

A complaint made by Om Parkash accompanied by a Compact Disk was received in Complaint Box. As per the allegations, the petitioner appointed as Junior Engineer, Municipal Corporation, Gurugram made a demand of Rs.10,00,000/- and accepted the amount of Rs. 1,50,000/- assuring the complainant that he could raise the construction of his house. The matter was inquired into by the Vigilance and thereafter the FIR was registered.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.4.2022, investigation is complete, challan stands presented. Contention is that the alleged incident is of 2015, no action was taken for seven years and the petitioner was arrested in April, 2022. He further submits that the petitioner has given his voice sample and no recovery is to be made.

Learned State counsel opposes the prayer and submits that as per FSL report, the voice sample of the petitioner matches with the audio recording and he is visible in the video, accepting the amount.

Without commenting upon the merits of the case and the time gap between the registration of FIR and in apprehending the petitioner, more so when he was continuing in his job, considering that though investigation is complete conclusion of trial is likely to take time, the petitioner is a government servant *prima-facie* there is no chance of his absconding, he has no criminal antecedents, bail is granted to the petitioner 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.

Since the main case has been decided, the pending application, if any is rendered infructuous.

28th July, 2022

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**(AVNEESH JHINGAN)
JUDGE**

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