

1. CRM-M-42475-2021

Balkar Singh

Petitioner

Versus

State of Haryana

Respondent

2. CRM-M-44002-2021

Vicky

Petitioner

Versus

State of Haryana

Respondent

3. CRM-M-44472-2021

Rohtash

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Parminder Singh, Advocate,
Mr. Abhimanyu Singh, Advocate and
Mr. Sandeep S. Mahithia, Advocate for the petitioners.
Mr. Pardeep Prakash Chahar, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

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

CRM-36437-2021 in CRM-M-44472-2021

Application under Section 482 Cr.P.C. is filed for adding Section 13 of Prevention of Corruption Act, Section 419 and 120-B IPC along with earlier mentioned offences under Section 7 and 7-A of Prevention of Corruption Act, 1988.

State counsel has no objection if the same is allowed.

For the reasons mentioned in the application, the same is

allowed.

2. These three petitions under Section 439 Cr.P.C. are filed seeking regular bail in FIR No. 006, dated 10.07.2021, under Sections 7, 7A and 13 of Prevention of Corruption Act, 1988 and Sections 419 and 120-B IPC, 1860, registered at Police Station State Vigilance Bureau, District Karnal (Haryana).

3. The case set up is that Rakesh Kumar made a complaint that amount of Rs.5000/- was demanded on a phone by Rohtash for releasing Govt. Grant under Kanya Shagun Yojna for the marriage of his daughter. A trap was laid, Vicky and Rohtash were caught red handed. The role attributed to Balkar Singh is that he impersonated as Rohtash while making phone call.

4. Learned counsel for the petitioners submit that petitioners are in custody from second week of July, 2021, investigation is complete, challan stands presented and petitioners have no criminal antecedents. It is a case of false implication.

5. Learned counsel for the petitioner in CRM-M-42475-2021 submits that petitioner-Balkar Singh was named in a disclosure statement.

6. Learned State counsel opposes the prayer for grant of bail and submits that the allegations are serious, as for dispensing with the grant for welfare of the Girl Child and illegal gratification was demanded. Moreover, Vicky and Rohtash were caught red handed.

7. The petitioners have no criminal antecedents, investigation is complete and the required voice samples were taken. No further recovery is to be made from the petitioners, no useful purpose would be served by keeping them behind the bars and conclusion of the trial is likely to take

satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

- 8. The petitions are allowed.
- 9. It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
- 10. Photocopy of this order be placed on the files of connected cases.

[AVNEESH JHINGAN]
JUDGE

28th January, 2022
Parveen Sharma

- | | | |
|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |