

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

CRM-M-43088-2022

Date of Decision: 22nd September, 2022

Som Parkash @ Sonu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Devender Kumar, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

Petitioner is seeking regular bail in case of FIR No.26 dated 22.7.2022 under Sections 7, 7A of Prevention of Corruption Act, 1988 registered at P.S. SVB Faridabad, District State Vigilance Bureau, Faridabad.

As per the case set up, Amit Panwar-complainant alleged that his electricity connection was disconnected. He met the petitioner in the electricity office who offered to patch up the matter regarding electricity theft and get installed a new connection. As per the allegations, approximately Rs. 50,000/- were paid by the complainant. Later on, he came to know that an FIR has been registered and penalty of Rs. 47,073/- was imposed. The complainant met the petitioner who thereafter demanded Rs. 25,000/- for closure of the FIR and for waiving off the penalty. The allegations of demanding of Rs. 25,000/- were supported by an audio recording. A trap was laid and the petitioner was caught red handed.

Learned counsel for the petitioner submits that the petitioner was not an employee of Electricity Department and he had no official capacity to get the penalty waived off or the FIR cancelled. The petitioner is in custody since 22.7.2022 and the investigation is complete. He on instructions from the petitioner submits that the petitioner volunteers to give voice samples.

Learned State counsel opposes the prayer and on instructions submits that voice samples are yet to be taken.

Without commenting on the merits of the case, having conspectus of the facts, custody period, petitioner's volunteering to give his voice samples, no recovery is to be made from the petitioner, though the investigation is complete conclusion of trial is likely to take time, petitioner has no criminal antecedents, the petitioner is granted bail subject to his adhering to undertaking that he shall make himself available to give voice samples as and when called for by the police officials and further subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

(AVNEESH JHINGAN)
JUDGE

22nd September, 2022
anuradha

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No