

**208 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-47903-2022
Date of Decision: 21st October, 2022**

Dalbir

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Vinod Ghai, Senior Advocate with
Ms. Kanika Ahuja, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

1. This petition is filed seeking regular bail in case of FIR No. 347, dated 14th June, 2022, under Section 506 of Indian Penal Code and Sections 7, 11, 12, 13 of Prevention of Corruption Act, 1988, registered at Police Station Ganaur, District Sonapat.

2. As per the case set up, the petitioner posted as Patwari demanded Rs.5000/- illegal gratification from the complainant for getting compensation of the damaged crops.

3. Learned Senior counsel appearing for the petitioner submits that no specific date of demand has been mentioned. A compliant made in the Chief Minister window was filed, even in the departmental inquiry and the petitioner was exonerated. The FIR has now been registered under Section 156(3). The contention is that as per the allegations in the FIR, Rupees Two Thousand was refunded to the complainant. Investigation is complete and challan stands presented. He further submits that petitioner is not involved in any other case.

4. Learned State counsel on instructions from ASI Ravinder opposes the prayer for grant of regular bail but he fairly submits that

though the investigation is complete the sanction to prosecution is yet to be received and voice sample of the petitioner is required.

5. Learned Senior counsel for the petitioner on instructions submits that petitioner volunteers to give his voice sample.

6. Without commenting upon the merits of the case, having conspectus of the facts, considering that petitioner has no criminal antecedents, as the sanction to prosecute is pending and though the investigation is complete conclusion of the trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned and giving his voice sample as volunteered by him.

7. The petition is allowed.

8. 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

21st October, 2022
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No