

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-204-2023 (O&M)
Date of Decision:-12.1.2023

Nafis Ahmed	Versus	... Petitioner
State of Haryana		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.S. Rana, Senior Advocate with
Mr. Nayandeep Rana, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.22, dated 31.8.2022 at Police Station SVB, Hisar, State Vigilance Bureau, District Hisar, under Section 384 of Indian Penal Code and Sections 7 & 13(1)(b) read with Section 13(2) of Prevention of Corruption Act, 1988.
2. The case of the prosecution, in nutshell, is that the petitioner had demanded an amount of Rs.50,000/- from the complainant for the purpose of getting his site plan approved. The complainant has alleged that he had initially paid an amount of Rs.15,000/- on 26.8.2022 and the second installment of Rs.30,000/- was to be paid but since he did not wish to pay the same, he informed the Vigilance Department, which laid a trap and accordingly tainted currency notes are alleged to have been recovered from the glove compartment from the dashboard of the petitioner's car.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that the tainted currency notes in question cannot be connected with the petitioner, in any manner, inasmuch as his hands were never got washed and apparently he had never handled the said currency notes.
4. Opposing the petition, learned State counsel has submitted that since the tainted currency notes were recovered from the petitioner's car, his domain over the said currency notes is clearly evident and he cannot escape from his liability. It has further been submitted that during the course of investigation, the police also collected audio recording from where the demand of amount is clearly reflected. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 4½ months and is otherwise not involved in any other case.
5. Having regard to the facts and circumstances of the case but without commenting anything as regards merits of the and while also noticing that the petitioner has been behind bars for a substantial period of about 4½ months and otherwise enjoys a clean record, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.1.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No