

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

CRM-M-1730-2023 (O&M)  
Date of Decision:-18.1.2023

Harminder Singh ... Petitioner

Versus

State of Haryana ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Rubinder Pal Ghumman, Advocate;  
Mr. Harneet Singh Oberoi, Advocate and  
Ms. Anu Mehta, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

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**GURVINDER SINGH GILL, J.** (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.28, dated 31.8.2022 at Police Station State Vigilance Bureau, Karnal, Haryana, under Sections 7, 13(2) of Prevention of Corruption Act, 1988 (Amendment Act, 2018).
2. The allegations, in nutshell, are that the petitioner, who was posted as Patwari in Village Kamalpur, Tehsil Nighdu, District Karnal, had demanded an amount of Rs.5,000/- from the complainant for the purpose of issuing a demarcation report and that pursuant to laying of a trap, the petitioner was caught red handed while accepting an amount of Rs.5,000/- from the complainant.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that since it is the Kanungo, who issues such report, there was no occasion for the petitioner to have demanded or accepted the said amount.
4. Opposing the petition, learned State counsel has submitted that since it is a case where the petitioner was caught red handed while in possession of tainted currency notes, his complicity is clearly evident. Learned State counsel has further submitted that the allegations against the petitioner would also stand substantiated from the fact that there is audio recording in respect of the conversation, which had taken place between the complainant and the petitioner. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 2½ months and that challan already stands presented and that sanction for prosecuting the petitioner is awaited. It has also been informed that as many as 20 PWs have been cited. Learned State counsel has further informed that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioner, which is about 2½ months and also the fact that the petitioner otherwise enjoy a clean record and that conclusion of trial is likely to take some time inasmuch as the trial has not even commenced till date and as many as 20 PWs have been cited, further detention of the petitioner will not serve any useful purpose. 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.

7. The aforesaid order is being passed subject to the condition that the petitioner shall make himself available as and when directed for the purpose of furnishing his voice sample. In case, the petitioner does not cooperate for providing his voice sample, it shall be open to the prosecution to move an application for cancellation of bail.

**18.1.2023**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No