

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-12176-2023 (O&M)

Date of Decision: 17.04.2023

Raghubir Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Aditya Sanghi, Advocate, for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
01	06.01.2023	SVB Ambala, District State Vigilance Bureau, Haryana	Sections 7/13(1)(b) read with Section 13(2) of the Prevention of Corruption Act.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of aforementioned FIR.
2. As per the case of prosecution, the petitioner, who is posted as a Company Commander, Haryana Home Guards, Kaithal, had demanded an amount of Rs.5000/- from the complainant, who is a Home Guard, so as to ensure that he (complainant) would be transferred to a station of his choice. Since the complainant did not wish to pay illegal gratification, he

reported the matter to the Vigilance Bureau. A trap was laid and accordingly the petitioner was caught red-handed.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and in any case since the investigation already stands concluded, his detention is not required for any fruitful purpose.
4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while accepting bribe, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 3 months and that he is not involved in any other case. It has also been informed that investigation stands concluded and challan has been presented. It has further been submitted that charges are yet to be framed and as many as 19 PWs have been cited.
5. This Court has considered rival submissions.
6. It is no doubt correct that the petitioner is alleged to have been caught red-handed while accepting bribe. However, this Court cannot lose sight of the fact that the petitioner has been behind bars since the last about 3 months and challan already stands presented. The petitioner otherwise enjoys a clean record. Conclusion of trial is likely to consume time inasmuch as trial has not even commenced till date and as many as 19 PWs have been cited. In these circumstances, 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.

17.04.2023

Vimal

(GURVINDER SINGH GILL)
JUDGE

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