

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

CRM-M-25115-2023 (O&M)
Date of Decision:- 22.05.2023

Mandeep Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumit Sangwan, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by Inspector Ramphal.

FIR NO.	DATE	POLICE STATION	OFFENCES
0008	28.3.2023	ACB, Ambala, District Anti Corruption Bureau	7 of the Prevention of Corruption Act, 1988 (Section 13(1)(b) read with Section 13(2) of the Prevention of Corruption Act 1988 added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered in a case arising out of above mentioned FIR.
2. The FIR was lodged at the instance of complainant Bhagwati Charan wheein it is alleged that he had executed repair work in Parshuram

Bhawan Village Kotra in February, 2022 for an amount of Rs.6,30,000/-. Although the Gram Sachiv namely Mandeep had released a payment of Rs.4,42,000/- from Gram Panchayat fund and had assured that the remaining payment shall also be made, but he kept on dilly dallying the matter. It is alleged that later the petitioner demanded an amount of Rs.25,000/- as commission for the purpose of releasing the balance payment but the deal was struck for an amount of Rs.15,000/-. The complainant recorded the said conversation which had taken place and reported the matter to Vigilance Bureau. A trap was laid and the petitioner was caught red-handed while accepting bribe of Rs.15,000/-.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that there is no substantial evidence to establish the factum of any demand or acceptance of any illegal gratification.
4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while accepting the amount of Rs.15,000/-, his complicity is clearly evident. Learned State counsel has informed that the petitioner as on date has been behind bars for the last about 1 month and 21 days and that he is not involved in any other case.
5. This Court has considered the rival submissions.
6. Having regard to the facts and circumstances of the case and the fact that the petitioner has been behind bars for the last about 2 months and is not stated to be involved in any other case, his further

detention is not justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7.
- It is however, direction that the aforesaid order shall be subject to the condition that the petitioner shall furnish voice sample, as and when directed, and not threaten the complainant, in any manner. In case, it is found that the petitioner does not cooperate for furnishing voice samples or is found to be intimidating the witnesses, it shall be open to the prosecution to move an application for cancellation of bail.

22.05.2023

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No