

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

CRM-M-25537-2023 (O&M)
Date of Decision:-25.5.2023

Sanjay ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sarfaraj Hussain, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by Inspector Suresh Kumar.

FIR No.	Dated	Police Station	Section/s
05	6.2.2023	S.V.B. Gurgaon District State Vigilance Bureau, Gurugram, Haryana	7, 13(1)(b) read with Section 13(2) of Prevention of Corruption Act, 1988

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The allegations, in nutshell, are that the petitioner, who was posted as a Patwari in Gurugram had demanded and accepted illegal gratification of Rs.8,000/- from the complainant for the purpose of producing some record in a land acquisition matter, which is pending in the Court. A trap was laid and the petitioner was caught red-handed while accepting bribe of Rs.8,000/- from the complainant.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that since the investigation, in any case,

stands concluded further detention of the petitioner would not serve any useful purpose.

4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while accepting the bribe of Rs.8,000/-, his complicity is clearly evident. Learned State counsel has informed that the sanction to prosecute the petitioner is still awaited. It has also been informed that challan already stands presented in the present case and charges are yet to be framed and as many as 18 PWs have been cited. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 3½ months and he is not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but having regard to the custody of the petitioner i.e. more than 3½ months and also the fact that conclusion of trial is likely to take some time as the trial is yet to commence and as many as 18 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. It is further directed that the petitioner shall furnish his voice samples as and when directed.

25.5.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No