

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

I) CRM-M-50545-2022 (O&M)

Parmod Kumar ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-58020-2022 (O&M)

Deepak Kumar ... Petitioner

Versus

State of Haryana ... Respondent

III) CRM-M-52510-2022 (O&M)

Raj Kumar @ Raju ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-18.1.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pankaj Bali, Advocate and
Mr. Parveen Sharma, Advocate,
for the petitioner in CRM-M-50545-2022.

Mr. Ashit Malik, Advocate,
for the petitioner in CRM-M-58020-2022.

Mr. Monty Goyal, Advocate,
for the petitioner in CRM-M-52510-2022.

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

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners Parmod Kumar, Deepak Kumar and Raj Kumar @ Raju seeking grant of regular bail in respect of a case registered vide FIR No.21, dated 1.8.2022 at Police Station SVB Karnal, under Sections 7, 7A, 13(1)(b) read with Section 13(2) of Prevention of Corruption Act, 1988 and Sections 384 and 120-B of Indian Penal Code.
2. The FIR was lodged at the instance of Vikas, wherein it is alleged that his family was to receive retiral-cum-death benefits on account of death of his father, which were somewhere to the tune of Rs.13 lakhs as gratuity and Rs.12.50 lakhs as commuted value of pension i.e. a total of Rs.25.50 lakhs. It is alleged that Raj Kumar @ Raju, who was posted as a Clerk in District Treasury, Karnal demanded an amount of Rs.50,000/- for the purpose of getting the payment released and told the complainant to meet Deepak Kumar, Computer Operator posted at Treasury Office, Gharaunda, District Karnal. When the complainant met Deepak Kumar, he raised a demand of Rs.6 lakhs for getting the payment released and told the petitioner to contact Parmod Kumar, who is posted as Assistant Account Officer in the Office of Accountant General, Haryana at Chandigarh. It is the case of prosecution that since the complainant did not wish to pay the amount, he contacted the Vigilance Bureau, Haryana and accordingly a trap was laid and Parmod Kumar and Deepak Kumar were caught red handed while accepting a cash amount of Rs.1 lakh and also a cheque of an amount of Rs.2.50 lakhs.

3. Status reports by way of affidavit of Shri Narender Kumar, HPS, Deputy Superintendent of Police, State Vigilance Bureau, Karnal in all the three petitions have been filed by learned State counsel, which are taken on record.
4. Learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case and that, in any case, since the entire investigation is complete and the trial has not even commenced till date, they deserve to be released on bail.
5. Opposing the petitions, learned State counsel has submitted that since petitioner Parmod Kumar (CRM-M-50545-2022) and petitioner Deepak Kumar (in CRM-M-58020-2022) were both caught red handed while accepting the bribe amount, their complicity is clearly evident. It has further been submitted that since it is petitioner Raj Kumar @ Raju (in CRM-M-52510-2022), who had referred the complainant to aforesaid Parmod Kumar and Deepak Kumar, it is evident that he was also hand & gloves with the other co-accused. Learned State counsel has, however, informed that the petitioners have been behind bars since the last more than 5 months and that challan already stands presented and that sanction qua petitioner Parmod Kumar is awaited. It has also been informed that as many as 18 PWs have been cited. Learned State counsel has also informed that the petitioners are not involved in any other case.
6. This Court has considered rival submissions.
7. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioners, which is more than 5 months and also the fact that the petitioners 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 18 PWs have been cited, further detention of the petitioners will not serve any useful purpose. All the three petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. A photocopy of this order be placed on the file of each connected case.

18.1.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No