

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

CRM-M-57517-2022 (O&M)
Date of Decision:- 09.03.2023

Sukhbir Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raj Kapoor Malik, Advocate, for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.26 dated 04.10.2022, registered at Police Station State Vigilance Bureau, Ambala, District Ambala, under Sections 7 of the Prevention of Corruption Act, 1988 (Sections 13(1)(a) read with Section 13(2) of the Prevention of Corruption Act, 1988 and Sections 120-B and 180 IPC added later on),
2. The FIR was lodged at the instance of Shamsher Singh, wherein it is alleged that his father had been nominated in a case registered for offences under NDPS Act and was arrested on 02.10.2022. It is alleged that ASI Dharampal and ASI Sukhbir Singh (petitioner) demanded an illegal gratification of Rs.60,000/- for giving him a

clean-chit and an amount of Rs.45,000/- was paid. Later when another demand of Rs.10,000/- was made, the complainant reported the matter to the Vigilance Bureau. A trap was laid and an amount of Rs.8,000/- was recovered from a drawer of the office table of the petitioner.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that the amount was never recovered from his possession.
4. Opposing the petition, learned State counsel has submitted that a trap had been laid and pursuant to which the tainted currency notes were recovered from the office-table of the petitioner and that when the hands of the petitioner were washed in the phenolphthalein solution, the same turned pink, indicating that the petitioner had handled the tainted currency notes. Learned State counsel has however, informed that the petitioner as on date has been behind bars for the last about 5 months and that investigation is complete. It has however, been informed that the trial is yet to commence and 18 PWs have been cited.
5. This Court has considered the rival submissions.
6. The petitioner, as per the case of prosecution, is specifically involved and is alleged to have accepted the tainted currency notes. However, the petitioner has been behind bars for a substantial period of 5 months. Conclusion of trial is likely to consume time inasmuch as none out of the cited 18 PWs has been examined so far. 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 bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

09.03.2023
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(GURVINDER SINGH GILL)
JUDGE

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