



**210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-51303-2024
Date of Decision: 05.12.2024**

Rakesh Kumar

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J.

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 17, dated 22.08.2024, registered under Section 7 & 7-A of Prevention of Corruption Act (Section 319 (2),BNS 2023 i.e. 420 IPC added later on), Police Station ACB, Faridabad, District Faridabad (Annexure P-1).

2. Learned counsel for the petitioner contends that the FIR in the present case has been got registered by Jitender Dhankhad son of Jaipal Dhankhad, a friend of Tarun Sharma and the complainant is not the aggrieved person in the present case. He further contends that in fact the alleged aggrieved person is Tarun Sharma, who had received a notice regarding theft of electricity on 27.05.2024. He further contends that even the complainant is having criminal antecedents and is a black-mailer and two more FIRs i.e. FIR No.38 dated 16.03.2022 and FIR No.176 dated 01.03.2017 were ordered to be



registered against him. He further contends that in fact the petitioner was not an employee of the Electricity Board i.e. DHBVN nor had any concern with the allegations leveled by the complainant.

3. Learned counsel for the petitioner further contends that the petitioner was working as a C.A. at Pali, DHBVN, Ballabgarh and Kheri Kalan, DHBVN, Greater Faridabad and was wrongly arrested on 22.08.2024. He further contends that pursuant to the registration of the FIR, a raiding party had conducted raid and Brij Pal was allegedly arrested by the police, while he was accepting the amount of bribe. The petitioner never demanded any bribe nor any amount was paid to him, in the present case. Even, Brij Pal, co-accused, who had allegedly received the amount of Rs.10,000/- has already been granted the concession of bail vide order dated 29.11.2024, passed by this Court. Learned counsel for the petitioner further contends that after completion of the investigation, challan has already been presented against him and the trial is not likely to conclude in near future.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the petitioner and the petitioner is not entitled for the concession of regular bail.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner was arrested on 22.08.2024. Brij Pal, co-accused had already been arrested and was granted the concession of bail by this Court on 29.11.2024. Apart from that, the challan has already been



presented against him and he is not to be in a position to influence the witnesses of the prosecution.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

05.12.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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