



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

250**CRM-M-55609-2024****Date of Decision: 13.11.2024****RAKESH**

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Vikram Rana, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to grant a regular bail in case FIR No.14 dated 05.07.2024 registered under Section(s) 308(2) and 61(2) BNS, 2023 under Section 7, 7A, 13(1)(b) read with Section 13(2) PC Act at Police Station ACB, District Faridabad (Anneuxre P-1).

2. Learned counsel for the petitioner contends that the petitioner is working as a sweeper in the hospital and has been made a scapegoat, in order to save the senior officers. He further contends that the petitioner was not in a position to demand bribe from anyone nor had any concern with the allegations levelled by the complainant in the present case. The petitioner was arrested in the present case on 06.07.2024 and is in custody since then. After completion of



investigation, challan has already been presented against him and there are no chances of early conclusion of the trial.

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

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

5. As per the allegations levelled by the complainant, the Anti Corruption Bureau, Faridabad had received a complaint with regard to the demand of bribe by Mr. Abhay Kumar, Manager, ESIC Medical College and Hospital, NIT No.3, Faridabad and Mr. Abhay Kumar, Manager has already been arrested by the police. The petitioner was working as a sweeper and had allegedly received the amount of bribe on instructions from Mr. Abhay Kumar, Manager. Thus, it would be debatable as to whether the petitioner was involved in the crime or not. The petitioner is already in custody for the last more than 04 months and challan has already been presented against him. Thus, further custody of the petitioner will serve no meaningful purpose.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the



satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

13.11.2024

(N.S.SHEKHAWAT)

M.Sikka

JUDGE

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