
(2004) 08 P&H CK 0184

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. 29971-M of 2004

Bir Singh

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 16-08-2004

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Prevention of Corruption Act, 1988 — Section 12, 7

Citation : (2004) 12 CriminalCC 296 : (2005) 1 RCR(Criminal) 625

Hon'ble Judges : Ajay Kumar Mittal, J

Bench : Single Bench

Advocate : S.S. Dinarpur, for the Appellant; Sidharath Sarup, AAG Haryana, for the Respondent

Judgement

Ajay Kumar Mittal, J.—This is a petition u/s 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case F.I.R. No. 132 dated 13.6.2004, u/s 12 of the Prevention of Corruption Act, 1988, registered at Police Station Sadar, Thanesar, District Kurukshetra.

2. The allegations against the petitioner are that he has repeatedly approached constable Suresh Kumar and offered to pay a sum of Rs.30,000/- per month for being paid to the Superintendent of Police of Kurukshetra and on that basis the present F.I.R. has been registered, which has been reproduced in the petition. Learned counsel for the petitioner submits that no independent witness has been examined by the police and the petitioner was arrested on 13.6.2004 and he is in custody since then. The counsel further submits that the trial is likely to take a long time and no offence u/s 12 of the Prevention of Corruption Act, 1988 as alleged in the F.I.R. has been committed by the petitioner and he has been falsely implicated in the present case. Learned State counsel submits that challan has been presented in the Court and that the allegations against the petitioner are that he has abetted the offence u/s 7 of the Prevention of Corruption Act, 1988 as he has tried to bribe the Superintendent of Police, Kurukshetra by

repeatedly offering to deliver a sum of Rs.30,000/- per month and, therefore, he has committed a serious crime and is not entitled to the concession of bail.

3. I have heard learned counsel for the parties and have perused the records: The petitioner is in custody for more than two months now and the trial is likely to take a long time. Without expressing any opinion on the merits of the case, the petitioner is ordered to be released on bail to the satisfaction of the trial Court.

The petition is disposed of.