

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

Crl. Misc. No.M-1284 of 2015
Date of Decision: 14.01.2015

SatyavanPetitioner

Versus

State of HaryanaRespondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Sumit Gupta, Advocate
for the petitioner.

DAYA CHAUDHARY, J.

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.31 dated 25.11.2014 registered under Sections 7 and 13 of the Prevention of Corruption Act, 1988 at Police Station SVB, Rohtak.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, he was not involved in any manner. He further submits that the petitioner has been implicated only on the basis of disclosure statement made by co-accused, Parveen Kumar which is not permissible under law. Learned counsel for the petitioner also submits that even the petitioner was not present when the raid was conducted and tainted money was recovered from co-accused Parveen Kumar. Nothing is to be recovered from the petitioner as the recovery has already been effected. Learned counsel also submits that the complainant has compromised the matter with his daughter-in-law and there was no occasion for the petitioner to demand any bribe from him.

Heard the arguments of learned counsel for the petitioner and have also gone through the allegations in the FIR.

As per allegations, FIR No.454 dated 10.11.2014 was registered under Section 498-A IPC, wherein, the present petitioner was the Investigating Officer and one Khushi Ram as well as his son Sandeep were the accused. Said Khushi Ram approached the Office of Vigilance Bureau and made complaint against the present petitioner that the money has been demanded by him under threat that in case of failure to pay amount, the compromise arrived at between the parties will not be treated as compromise. A raiding party was also constituted and the complainant-Khushi Ram made a telephonic call to the petitioner for giving an amount to co-accused Parveen Kumar. The amount was received in presence of shadow witness. Not only the serious allegations are there against the present petitioner, who is the police official but he has not cooperated with the investigation as well and is remaining absent from his duties since 25.11.2014. A compact disc has also been prepared after recording the voice of conversation.

Keeping in view the seriousness of offence and for collecting information including mobile phone etc., the custodial interrogation of the petitioner is required. Moreover, the petitioner, being in police force, may put influence upon the complainant, which would amount to interference with the investigation.

Accordingly, no ground is made out to grant anticipatory bail to the petitioner and the petition, being devoid of any merit, is hereby dismissed.

14.01.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE