IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM M-15558 of 2015

Date of decision : 19.11.2015

Manjinder Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vivek Salathia, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

Mr. Bikramjit Aurora, Advocate for the complainant.

RAJAN GUPTA J.

This is a petition seeking pre-arrest bail in a case registered against the petitioner vide FIR No. 17 dated 27.02.2015 under Sections 419, 420, 467, 468, 120-B IPC and section 13(2)/7 of Prevention of Corruption Act, 1988 at Police Station Khem Karan, district Tarn Taran.

Learned counsel for the petitioner submits that petitioner is a computer operator and has no role in execution of sale-deed which was found to be fraudulent. According to him, petitioner is not required for custodial interrogation. Thus, he is entitled to concession of pre-arrest bail.

Plea has been opposed by learned State counsel. According to him, petitioner is a government servant and is amenable to Prevention of Corruption Act. He seeks to place on record statements of two persons namely Jasbir Singh & Surjit Singh recorded during investigation. Same are taken on record as

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mark 'A' & 'B'. Referring to the said statements, he submits that both the witnesses clearly stated that Manjinder Singh, Computer Clerk (petitioner herein) had affixed the photograph of Amro (complainant) from village Punnia on the sale-deed by manipulation and obtained her thumb impression. Jasbir Singh had paid ₹10,000/- to the petitioner for doing this job. He had also produced the statement of petitioner himself wherein he had admitted that he had given ₹10,000/- by Jasbir Singh for the entire transaction. Same is taken on record as mark 'C'.

I have heard learned counsel for the parties.

Complainant Amro filed a complaint alleging that the accused in connivance with each other usurped her land by getting sale-deed registered by impersonating her. They manipulated the record with the help of petitioner. They got the photograph of one Amro from the previous sale-deed and affixed the same on the fictitious sale-deed dated 27.11.2013 by way of impersonation. Statement of Jasbir Singh was recorded by the investigating agency. He stated that entire transaction had been completed with the help of petitioner who was given ₹10,000/- as bribe for affixing photograph of Amro on the fictitious sale-deed. Statement of petitioner was also recorded. He stated that he had taken print out of a sale-deed from the computer on 27.11.2013. He admitted that he had committed the crime as ₹10,000/- was given to him for doing the job.

Considering the nature of allegations, admission of the petitioner that he had taken bribe for duping the complainant of her valuable land, I am of the considered view that petitioner is not

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entitled to concession of pre-arrest bail. His custodial interrogation may be necessary to take the investigation to its logical end. Petition is, thus, without any merit and is hereby dismissed.

November 19, 2015 (RAJAN GUPTA)
Ajay JUDGE

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