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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17107 of 2015

Date of decision: September 21, 2015

Tilak Raj @ Tilak Rai

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr. B.B.S. Randhawa, Advocate
for the petitioner.

Ms. Mahima, AAG Haryana.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.7 dated 20.06.2014, under Sections 406, 409, 420, 467, 468, 471, 120-B of Indian Penal Code, 1860 and Section 13 (i) of the Prevention of Corruption Act, 1988, registered at Police Station State Vigilance Bureau, Panchkula.

While issuing notice of motion, following order was passed by this Court on 25.05.2015:-

"So far as the petitioner is concerned, the matter is stated to be basically of civil nature because the allegation is that he had received excessive payment under the contract for the work involved.

Notice of motion to the respondent be issued for 28.07.2015.

In the meantime, the arrest of the petitioner shall remain stayed subject to the following conditions:

(i) He shall make himself available for investigation as and when required to do so.

(ii) He will not leave the country without the prior permission of the Court.

(iii) He will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any

police official."

Learned Senior counsel for the petitioner has submitted that petitioner had constructed the building. In fact, now the dispute is qua payments made and yet to be made to the petitioner. The matter has already been referred to the Arbitrator.

Learned State counsel who is assisted by Deputy Superintendent of Police Suresh Kumar has submitted that petitioner has joined investigation, but recovery is yet to be effected.

Keeping in view the fact that the matter, in the present case, relates to payments made or yet to be made to the petitioner and the fact that petitioner has already joined investigation and also the fact that the matter has been referred to the Arbitrator, it would be just and expedient to confirm the interim bail granted to the petitioner by this Court.

Accordingly, interim bail granted to the petitioner by this Court vide order dated 25.05.2015, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

September 21, 2015
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