IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No.M- 31191 of 2015
Date of decision : 01.10.2015

Jaswinder Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. R.S. Randhawa, Addl. AG, Punjab.

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ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No.159 dated 22.07.2015, registered under Section 365, 384, 120-B IPC, Police Station Division No. 8, Jalandhar, District Jalandhar.

Heard.

The allegations against the petitioner are that he along with Kuldeep Kaur and her husband threatened to get the complainant involved in a drug case and asked him to pay Rs.1 lac. The complainant made a call to his family and was detained for 3 – 4 hours. The money was paid and he was released. The complainant is said to have made a complaint to the Commissioner of Police. The complainant had alleged that he had been called by Kuldeep Kaur on

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the pretext of getting the electricity repaired and she and her husband are also involved. Kuldeep Kaur and her husband Subhash have been arrested.

The State counsel urges that custodial interrogation is necessary.

The petitioner is Assistant Sub Inspector and is presently under suspension. His custody is required to take the case to its logical end. Section 438 Cr.P.C. is an extra ordinary remedy and protection can be granted only considering the material and the facts of a given case. The allegations against the petitioner are grave. Custodial interrogation is necessary. It would be difficult to carry out the investigation. It is necessary to curtail his freedom to enable the Investigators to proceed. No fetters can be placed upon the Investigators.

The petition is dismissed.

01.10.2015 **(ANITA CHAUDHRY)**
sunil **JUDGE**

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