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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-3229 of 2015

Date of decision: November 17, 2015

Shyam Lal @ Sham Lal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Dimple Jain, AAG Haryana.

Mr. Vivek Khatri, Advocate
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.36 dated 04.09.2013, under Section 7 of Prevention of Corruption Act, 1988, registered at Police Station State Vigilance Bureau, Hisar, District Hisar.

While issuing notice of motion, following order was passed by this Court on 30.01.2015:-

“Learned counsel submits that the present F.I.R has been registered by the complainant with the allegation that the petitioner demanded Rs.12,100/- on account of making the payment of bill to the complainant. The allegation was thoroughly investigated and ultimately the police found the allegations to be false. The complainant moved the complaint before the Lokayukt and on that basis again investigation was started and petitioner has been arrayed as an accused whereas the petitioner had already joined the investigation earlier. The petitioner is only a water pump operator and was not in a

position to take Rs.12,100/- as alleged by the complainant.

Issue notice of motion to the respondents, returnable for 31.03.2015.

Meanwhile, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his/their arrest, he/they shall be released on bail by the Investigating Officer on his/their furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C :-

- i. a condition that the person shall make himself/themselves available for interrogation by Police Officer as and when required;*
- ii. a condition that the person shall 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 officer;*
- iii. a condition that the person shall not leave India without the previous permission of the Court*
- iv. such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section."*

Learned State counsel who is assisted by Deputy Superintendent of Police Sharif Singh has submitted that the petitioner has joined investigation and is not required for further investigation.

Accordingly, interim bail granted to the petitioner by this Court vide order dated 30.01.2015, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

November 17, 2015
mahavir