

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

Cr.Misc. M 33110 of 2014
Date of decision:- 8.1.2015

Kans Raj Saini

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. AS Gill, Advocate.
Mr. CS Brar, DAG, Punjab
Mr. S Siao, Advocate.

M.M.S.BEDI,J.

The petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Sunil Kumar Datta alleging that the petitioner along with Sohan Lal and Suresh, non petitioners, received a sum of Rs.4.50 lacs with a promise to get employment for his son in the railways. The petitioner is alleged to have introduced the complainant to the main accused Sohan Lal and Suresh, who had been paid a sum of Rs.4.50 lacs.

Counsel for the complainant has intervened to oppose the petition contending that at one stage the petitioner had taken the responsibility to refund the amount in case the job is not done. The said agreement, if any, will not make the petitioner vicariously liable of the culpability of his co-accused. It is sufficient to observe that the petitioner has joined the investigation and he is not involved in any other case of similar nature.

The petition is allowed and interim order dated 24.9.2014 is hereby made absolute subject to all the conditions u/s 438(2) Cr.P.C. without prejudice to the right of the complainant to recover the amount, in accordance with law.

January 8 , 2015
TSM

(M.M.S.BEDI)
JUDGE