

CRM-M-20773-2016

Date of Decision : 23.07.2016

Jaskaran Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Kanwaljeet Singh, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, D.A.G, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

Petitioner is alleged to have received money on behalf of the main accused Sarwan Singh, a sum of Rs. 9,000/- as illegal gratification while the main accused has been arrested and granted concession of bail.

The name of the petitioner was mentioned in the supplementary statement of the complainant. A perusal of the police file indicates that petitioner has been involved in a case on the basis of the statement of Sarwan Singh to the effect that he had handed over the money to the petitioner. Thereafter, supplementary statement of the complainant seems to have been recorded regarding money having been handed over to the petitioner.

The demand and receipt by the petitioner himself and his culpability will certainly be a debatable issue to be decided on the basis of the evidence produced in the trial Court. He has already joined investigation. The petitioner being not a public servant, his culpability would be required to be tested in context to the relevant provisions of

law under Section 8 of the Prevention of Corruption Act. He having joined investigation can be granted the concession of pre-arrest bail.

The petition is allowed. The interim order dated 22.06.2016 is hereby made absolute subject to the condition that petitioner will not tamper with the evidence or hamper the investigation in any manner.

(M.M.S. BEDI)
JUDGE

23.07.2016
Neha