

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-28588-2016

Date of Decision : 20.10.2016

Sandeep

....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

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

Mr. C.S. Bakhshi, Additional A.G., Haryana.

.....

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

No doubt, there are serious allegations against the petitioner that he had indulged in collecting money from the private vehicles, loaded with animals, by misusing his authority as a Constable and allegedly received a sum of Rs. 7,500/- while his co-accused, namely Kapil and Jasmer, indulged in the similar activity.

With the assistance of learned State counsel, I have gone through the police file, which has been brought by ASI Bhupinder Singh. Though the challan qua co-accused of the petitioner has been presented, but the police file does not indicate the names of the persons, from whom, the amount had allegedly been received by the petitioner. The petitioner has also joined the investigation. Moreover, no recovery

was even effected from any of the accused persons.

It may be a case of strong suspicion, but in view of nature of the evidence gathered till date, the petitioner can be granted the concession of pre-arrest bail.

In view of the above, the petition is allowed. The interim order dated 02.09.2016, is hereby made absolute subject to the following conditions:

- (1) that the petitioner will join the investigation as and when required by the police;
- (2) that he will not tamper with the evidence or hamper the investigation in any manner; and
- (3) that he will not indulge in similar activities during pendency of the trial.

In case of violation of any of the abovesaid conditions, the bail order of the petitioner will be liable to be cancelled.

(M.M.S. BEDI)
JUDGE

October 20, 2016
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No