

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.34140 of 2015

Date of Decision:-15.03.2016

Makhan Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Kanwaljit Singh, Senior Advocate assisted by
Mr. Navkesh Singh Goraya, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by Inspector Iqbal Singh.

JASWANT SINGH, J.(ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner-Makhan Singh in case FIR No.12 dated 26.08.2015 for offences punishable under Sections 13(1)(e) read with Section 13(2) of the Prevention of Corruption Act, 1988 read with Section 120-B of Indian Penal Code registered with Police Station Vigilance Bureau, Phase-1, Punjab at Mohali.

FIR has been registered by the Vigilance Bureau after an enquiry conducted against the co-accused Mandeep Singh and present petitioner-Makhan Singh and Avtar Singh by fixing a check period from 1.4.1998 to 31.03.2014 regarding the income and expenditure of the

accused Mandeep Singh and his family members and that of the present petitioner-Makhan Singh. It was found that the expenditure of the accused Mandeep Singh and his family members was 57.50 more than their known sources of income. It was also found that the petitioner-Makhan Singh was used a front by co-accused Mandeep Singh for purchasing and selling the properties in the name of his family members by using the money collected through corruption. The accused Mandeep Singh has also used present petitioner and co-accused Avtar Singh in spending his ill-gotten wealth in the construction of the hotel Mark Royal Ashiana etc.

The attributed role of the petitioner is that he is a close associate of the aforesaid main accused Mandeep Singh, who first purchased properties in the name of the petitioner-Makhan Singh and then they were transferred in the name of the family members of Mandeep Singh by the present petitioner-Makhan Singh. In the Vigilance inquiry it has also been found that the assets of the present accused have also increased manifold during the aforesaid check period.

Learned Counsel for the petitioner submits that pursuant to the interim protection petitioner has joined investigation and furnished complete information regarding his assets.

Learned State Counsel assisted by Inspector Iqbal Singh submits that although petitioner has joined investigation, however, he is not cooperating and has suppressed information regarding the manner and method of utilization of the money collected by corrupt means by the main accused Mandeep Singh and transfer by the petitioner of assets in the name of family members of the said Mandeep Singh. He further submits that even

regarding increase of the worth of assets of the petitioner-accused for the check period has not been sufficiently explained. Thus, the prayer is for custodial interrogation of the petitioner-accused to unearth the modus operandi of the petitioner-accused along with two other co-accused.

After hearing learned Counsel for the parties, keeping in view the nature and gravity of the allegations, it is apparent that the custodial interrogation of the petitioner would be necessary for having a fair, proper and meaningful investigation.

In view of the above, finding no merit in the present petition seeking anticipatory bail, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

March 15, 2016
Vinay