

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

Cr. Misc. M 37799 OF 2016
Date of decision: 19.12.2016

Mahesh Yadav

Petitioner

VS.

State of Haryana

Respondent

Present: Mr. Jitender Nara, Advocate.
Mr. CS Bakshi, Addl.A.G. Hry

M.M.S.BEDI,J.

On the instructions of DSP Mukesh Kumar, learned State counsel informs that the petitioner has joined the investigation but on account of serious allegations, his custodial interrogation is required.

With the assistance of learned State counsel, I have gone through the police file, which contains the affidavits of ten ration depot holders affirming the allegations that the petitioner had demanded money from complainant Zia Ram and others in order to give a favourable report in their favour. Statements of the said witnesses have already been recorded during the course of investigation. It is an admitted fact that no recovery has been effected from the petitioner. It is also not a case of the prosecution that pursuant to the demand some amount had been received by the petitioner. Through the allegations against the petitioner are serious but in view of the nature of the evidence available on the investigation file till date and the nature of the allegations against the petitioner, it does not appear to be a case of custodial interrogation.

Accordingly, the petition is allowed and it is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. The petitioner will not leave India without the permission of the Court and will not commit the similar offence, of which he is accused of, during pendency of the trial.

December 19 ,2016
TSM
Whether speaking/ reasoned

(M.M.S.BEDI)
JUDGE
Yes/ No

Whether Reportable

Yes/ No