

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-38813 of 2015 (O&M)
Date of Decision: 11.02.2016

Santokh Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Navkiran Singh, Advocate for the petitioner.

Mr. A.S. Kler, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-38813 of 2015 (Santokh Singh Vs. State of Punjab) and CRM No. M-41749 of 2015 (Jaspreet Singh Vs. State of Punjab) as both these petitions have been filed under section 438 Cr.P.C seeking concession of pre-arrest bail to the petitioners therein arising out of the same F.I.R bearing No.1 dated 13.8.2015 under section 7 of the Prevention of Corruption Act, registered at Police Station, Punjab State Crime, S.A.S. Nagar (Mohali).

Briefly noticed, allegations against the petitioners herein, who were working as subordinates in the office of S.P., Crime, Jalandhar are that a demand for bribe was raised to secure favorable finding in an inquiry pertaining to allegations against brother of the complainant and in which offence under section 354-A and section 4 of POCSO Act, had been cited. In a nutshell, the allegation was that both the petitioners would secure a finding in favour of brother of the complainant on account of their proximity to the senior police official to whom the inquiry had been marked.

During the course of hearing today it has gone uncontroverted that the petitioners have since joined investigation. Still further against the

backdrop of the allegations in the present F.I.R that there was a recorded conversation even voice samples have been given by the petitioners.

It would also be pertinent to take note that the inquiry findings have been returned by S.P., Crime, Jalandhar against the brother of the complainant and as such, has not been shown any favour. Rather a challan has been presented and even the charges stand framed against the brother of the complainant in relation to that case.

In an overview of the matter, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, both the petitions are allowed. The order dated 30.11.2015 passed in CRM No. M-38813 of 2015 and order dated 10.12.2015 passed in CRM No. M-41749 of 2015, passed by this Court, are made absolute.

Petitions disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.02.2016
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