

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

CRM No.M-5169 of 2016 (O&M)

Date of Decision: 28.04.2016

Bhupinder Mohan Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. M.L. Saggar, Senior Advocate with
Mr. Rohit Joshi, Advocate for the petitioner

Mr. D.S. Virk, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.1 dated 07.01.2016, under Sections 409/420/467/468/471/201/120-B IPC and Sections 13(1)(D), 13(2)88 of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Ferozepur, District Ferozepur.

On 11.02.2016, while issuing notice of motion, the following order was passed by this Court:

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.1 dated 07.01.2016, under Sections 409/420/467/468/471/201/120-B IPC and Sections 13(1)(D), 13(2)88 of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Ferozepur, District Ferozepur.

It may briefly be noticed that the allegations against the present petitioner are in relation to discharge of his official duties while serving and posted as D.T.O., Sri Muktsar Sahib.

Learned senior counsel would submit that the Court below had initially granted interim bail to the petitioner but such concession has been cancelled vide impugned order dated 04.02.2016 on the ground that the relevant records are to be recovered. Argument raised is that the charge of D.T.O., Sri Muktsar Sahib was relinquished by the petitioner in the year 2013 and thereafter in the year 2014, petitioner already stands superannuated from service. The petitioner is otherwise ready and willing to join investigation and to cooperate and associate with the investigation process.

Notice of motion, returnable for 28.04.2016.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Charanjit Singh would apprise the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

Petition is allowed. Order dated 11.02.2016 passed by this Court is made absolute.

Disposed of.

28.04.2016
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE