

**Sr. No. 208
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No.M-5990 of 2016 (O&M)
Date of Decision: 25.05.2016**

Ram Niwas

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. A.S.Gulati, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.33 dated 26.08.2015, under Sections 7/13 of Prevention of Corruption Act and Section 384 of Indian Penal Code, registered at Police Station SVB Hisar, Haryana.

On 04.03.2016, the following order was passed by this Court:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No. 33, dated 26.08.2015, under Sections 7/13 of Prevention of Corruption Act and Section 384 of Indian Penal Code, registered at Police Station SVB Hisar.

It has been submitted that the complainant, namely, Surjit Singh had earlier got registered FIR No. 94, dated 28.01.2014, under Section 346 of Indian Penal Code at Police Station City Sirsa with regard to his daughter Ravinder Kaur having gone missing. Investigation of such FIR was with the present petitioner, namely, ASI Ram Niwas.

Allegations in nut-shell are that the present petitioner has demanded a bribe of `50,000/- from the complainant to facilitate a telephonic conversation with his daughter, namely, Ravinder Kaur.

Learned counsel appearing for the petitioner would contend that daughter of the complainant had herself accompanied one Vicky having contracted marriage with him and had even filed a protection petition before this Court. Counsel has also referred to a status report by way of affidavit of Superintendent of Police Sirsa, District Sirsa filed in CRM-M No. 33548 of 2014 and as per which the allegations made by the complainant were found to be false and unfounded.

List for further consideration on 25.05.2016.

In the meanwhile, petitioner is directed to join investigation.

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

Learned State counsel upon instructions from SI Ramphal would apprise the Court that petitioner has since joined investigation.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 04.03.2016, passed by this Court, is made absolute.

Disposed of.

25.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE