

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

(222)

CRM-M-7096-2016

Decided on: August 03, 2016.

Ashok Kumar

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. B.S. Sewak, Advocate, for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

M.M.S. BEDI, J (ORAL)

On the instructions of Inspector Ram Dutt, it has been informed that the petitioner has joined investigation. A sum of Rs.5,000/- is alleged to have been recovered.

Learned State counsel has submitted that a sum of Rs.10,000/- more is required to be recovered from the petitioner.

I have considered the facts and circumstances of the case.

The allegation against the petitioner is that in the capacity as Patwari he had demanded a sum of Rs.20,000/- for getting a mutation sanctioned in favour of complainant Rampal on the basis of a sale deed which was registered on 17.11.2015. The mutation had been sanctioned on 24.11.2015.

Learned counsel for the petitioner has submitted that sanction of mutation on the basis of a sale deed was verified on 20.11.2015 and thereafter it was attested by Field Kanungo on 22.11.2015. The mutation

has finally been sanctioned by Assistant Collector Grade-II, Amabala. Copy of the sanctioned mutation was delivered to the complainant on the same day.

On the basis of said facts, it has been submitted that the story of demand of Rs.5,000/- as balance of the bribe money is improbable especially when during raid the money was not recovered from the petitioner but was allegedly thrown by Jasbir Singh in the street.

The petitioner has joined the investigation. It does not appear to be a case of custodial interrogation.

The petition is allowed. It is ordered that in case of arrest of petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the conditions that he will join investigation as and when required and will not tamper with the evidence or hamper the investigation in any manner.

(M.M.S. BEDI)
JUDGE

August 03, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No