

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

CRL. MISC. No.M-21807 OF 2017
DATE OF DECISION : 28th AUGUST, 2017

Sanjiv Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. T. P.S. Tung, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed this petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.0046 dated 13.05.2017 registered under Section 406, 420 & 120-B IPC (Sections 465, 467, 468 & 471 IPC and Section 7, 13(2) of Prevention of Corruption Act 1988 added later on) at Police Station Phase 11, District S.A.S. Nagar, Mohali.

Heard learned counsel for the rival parties.

Following are the reasons given by the trial Court for rejecting the prayer for anticipatory bail:

“7. It is admitted fact that the bail-applicant is working as ASI in Punjab Police Department. From the perusal of FIR, very serious allegations have been leveled against the applicant-accused that he illegally recruited 6 persons and issued them forged and fake documents i.e. appointment letters, identity

cards and also issued movement orders by taking illegal gratification of Rs.28,50,000/- from them and cheated them. They worked for about 6 months in the Police line and when they did not get their salary this bogus recruitment came into light. In the pleadings of the bail application, the applicant himself has pleaded that this is a racket of High end officers and thus in order to dig out the truth and for proper progress of the investigation the custodial interrogation of the applicant-accused is required.”

Learned State counsel on instructions from ASI Kashmir Singh submits that it has to be found out as to who are the persons involved in issuing fake appointment letters etc. of the Police Department.

In that view of the matter, no case is made out for granting bail to the petitioner. The petition stands dismissed accordingly.

If the petitioner files application for regular bail before the trial Court, the same shall be disposed of, in accordance with law, within a period of fifteen days from the date of its filing.

28th AUGUST, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*