

IN THE HIGH COURT OF PUNJAB & HARYANA
CHANDIGARH

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2017.01.13 16:29

CRM No. M-24891 of 2016 (O&M)
Date of Decision: 12.01.2017

Jaspal Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. J.S. Grewal, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.3 dated 08.04.2016 under sections 13(1) (d), 13 (2) of Prevention of Corruption Act and Sections 409, 420, 467, 468, 471 I.P.C, registered at Police Station, Vigilance Bureau Ferozepur, District Ferozepur.

Counsel for the parties have been heard.

In brief, the allegation against the petitioner is that while serving as an employee under the Municipal Committee, Abohar he has allegedly collected amounts of money from different residents to facilitate sanctioning of building plans but such amount has not been deposited with the Committee and he has thereby embezzled the amount.

While issuing notice of motion, the following order was passed by this Court on 25.07.2016:-

“Petitioner as an employee of Municipal Committee, Abohar had allegedly not deposited the amount collected by him for sanctioning of the building plans.

Counsel for the petitioner submits that the

petitioner is accused of a similar matter in FIR No.2 registered at Police Station Vigilance Bureau, Ferzoepur and has been granted interim bail. It is claimed that the present FIR has been registered to defeat the interim order passed in favour of the petitioner by a coordinate Bench of this Court on May 28, 2016.

Notice to Advocate General, Punjab, for August 5, 2016.

Meanwhile, an interim direction is issued that the petitioner will not be arrested in this Court while joining investigation in the connected case.”

Learned State counsel upon instructions from Inspector Amandeep Singh, Vigilance Unit, Fazilka would apprise the Court that the petitioner has since joined investigation. It is also not in dispute that all the documents pertaining to the FIR/record are already in the custody of Vigilance Bureau, Fazilka.

Court has further been informed that after registration of the FIR the petitioner has been placed under suspension so as to prevent him to discharge functions on the post that he had been holding as also to ensure that there is no tampering of the record etc.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 25.07.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.01.2017
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Whether speaking/reasoned: No
Whether Reportable: No