

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

**CRM-M No.25042 of 2017
Date of Decision : 14.09.2017**

Ajay and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Sunil K. Nehra, Advocate
for the petitioners.

Mr. Vikas Malik, Deputy Advocate General, Haryana
for the respondent.

SUDIP AHLUWALIA, J. (ORAL)

Mr. Sarvjit S. Khurana, Advocate has put in appearance on behalf of the complainant and filed his *Vakalatnama* today in the Court; be kept on record.

Heard Ld. counsel for the petitioners, complainant and State.

It has been submitted by the Ld. State Counsel that the petitioners have joined investigation in compliance of the previous order. However, their custodial interrogation is required for the purpose of recovering the money allegedly pass on to them.

Ld. counsel for the petitioners has highlighted that his clients are both School Teachers and both of them were present in their

respective Schools on the relevant dates. In fact, one of the petitioners was specially assigned to “Examination Duty” on the particular date in question. As such according to Ld. counsel, there is no truth in the allegations made against them since the FIR itself discloses that initially the promise of recruitment by payment of money was imputed to two other persons against whom no action has been apparently taken by Authorities till date.

This Court may observe that undisputedly the transaction entered into by the complainant and the accused persons even if assumed to be true, is not only illegal but also thoroughly against Public Policy.

In this view of the matter and considering the *alibi* put-forth by the petitioners by way of their Attendance Certificates in the respective Schools on the relevant dates, this Court is of the opinion that their custodial interrogation would not be called for. As such the order of interim bail passed earlier dated 14th July, 2017 is, hereby, confirmed.

Disposed off.

September 14, 2017
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No