

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

CRL. MISC. No.M-25851 OF 2017
DATE OF DECISION : 6th OCTOBER, 2017

Salwinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. G.B.S. Dhillon, Advocate for the petitioner.

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

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.111 dated 03.08.2016 registered under Sections 7, 13 (2) Prevention of Corruption Act read with Section 376 (C) IPC at Police Station City Gurdaspur, District Gurdaspur.

Heard learned counsel for the rival parties.

The petitioner was arrested on 20.04.2017 and is in jail since then. The petitioner is a Superintendent of Police against whom there is allegation of taking bribe and commission of rape.

On 16.08.2017, this Court ordered recording of evidence and the plea for regular bail was not considered since the evidence of complainant/material witnesses was not recorded. Now learned counsel for the petitioner has produced before me the deposition of the complainant/material witnesses, including their cross-examination. The same are taken on record, subject to all just exceptions.

I have gone through the examination-in-chief and cross-examination as well. In view of the fact that the evidence of the complainant/material witnesses has been recorded and their cross-examination has also been completed, I think there is no point in continuing the detention of the petitioner in jail as under trial, particularly when there is no likelihood of tampering of witnesses by the petitioner.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-25851 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate, subject to the petitioner surrendering his passport with the trial Court first.
- (iii) The petitioner shall not tamper or influence the prosecution witness(es) remained to be examined.
- (iv) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

6th OCTOBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>