

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

CRM No.M-36456 of 2016 (O&M)

Date of decision:19.01.2017

Pawan Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

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

Present:- Mr. Kunal Mulwani, Advocate for the petitioner.
Mr. C.S. Bakhshi, Addl. A.G., Haryana.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.39 dated 30.09.2016, under Section 7 of the Prevention of Corruption Act, registered at Police Station SVB Rohtak.

While issuing notice of motion, the following order was passed by this Court on 07.10.2016:

“The petitioner is working as a Patwari. He apprehends arrest in a case registered at the instance of Charan Dass alleging that the petitioner the petitioner had demanded money from the complainant for not entering mutation on the basis of a settlement arrived at between the brothers.

Counsel for the petitioner submits that the petitioner had earlier also been involved in a case registered at the instance of Rajiv Soni, a Vigilance Inspector.

Notice to the Advocate General, Haryana, for 17.10.2016.

Meanwhile, arrest of the petitioner will be kept in abeyance.

Counsel for the petitioner will make available the material indicating the connivance of complainant Charan Dass with the investigating officer.”

Learned State counsel upon instructions from DSP Sushil Kumar apprises the Court that the petitioner has duly joined investigation. He further submits that the investigation has culminated towards preparation of a cancellation report which though is still under consideration and has not been finalized. State counsel very fairly states that under such circumstances, the petitioner is not required for any custodial interrogation.

In the light of the facts and circumstances noticed hereinabove, prayer made in the instant petition is accepted.

Petition is allowed. Order dated 07.10.2016 passed by this Court is made absolute.

Disposed of.

19.01.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |