

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

**CRM No.M-37625 of 2016 (O&M)
Date of Decision: 03.02.2017**

Gurmeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.
Mr. Sandeep Kumar Bansal, AAG, Punjab.

....

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.18, dated 29.09.2016, under Sections 409/420/120-B IPC and Sections 7/13(2) of the Prevention of Corruption Act, registered at Police Station Vigilance Bureau Bathinda, District Bathinda.

On 20.10.2016, while issuing notice of motion, the following order was passed by this Court.

“On the allegations that a sum of Rs.13,000/- had been demanded by Constable Tek Chand from Bachhitar Singh and Kulwant Singh, the petitioner has been booked in a case of Prevention of Corruption Act. The allegation against the petitioner is that he connived with Constable Tek Chand.

Learned counsel for the petitioner submits that there is no allegation that petitioner had ever demanded or received any money from complainant Kulwant Singh or extended any threat to him.

It has been argued that the complainant on having paid the money to the Electricity Department and compounding the offence in a power theft case, the matter had already been closed.

Notice to Advocate General, Punjab for 13.12.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 05.11.2016, 12.11.2016 and 19.11.2016. In case of petitioner doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

Learned State counsel upon instructions from ASI Harjinder Singh concedes that the petitioner has since joined investigation.

That apart, it has gone uncontroverted that the allegations as regards demand and acceptance of bribed amount was against co-accused Constable Tek Chand. The present petitioner is alleged to have connived with the main accused Tek Chand.

It stands conceded that the main accused has already been granted concession of pre-arrest bail.

In view of the facts and circumstances noticed herein above, the present petition is allowed. Order dated 20.10.2016 passed by this Court is made absolute.

Disposed of.

03.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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