

CRM-M-41055-2016

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

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Date of Decision: 07.03.2017

Paramjit Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Dinesh Trehan, Advocate,
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

Mr. Rajesh Bhateja, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Paramjit Singh and Nirmala Devi have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.153 dated 28.10.2016, registered at Police Station Sadar Fazilka, under Sections 420 and 120-B IPC.

Notice of motion was issued. Learned State counsel put in appearance on behalf of respondent-State and the complainant also appeared through his counsel. They contested this petition.

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I have heard learned counsel for the petitioners; learned State counsel as well as learned counsel for the complainant and have gone through the record.

From the record, I find that complainant-Sunil Kumar gave ₹7 lakhs to petitioner-Paramjit Singh for providing him govt. job. Some of the amounts i.e. ₹49,000/-, ₹20,000/-, ₹50,000/-, ₹60,000/- and ₹1 lakh, are stated to have been deposited in the account of petitioner-Paramjit Singh.

Learned counsel for the petitioner has relied upon memorandum, copy of which is Annexure P-2, executed by Sunil Kumar.

Learned counsel for the complainant stated that his signatures on the blank papers have been misused. However, the investigating officer present in the Court stated that he has recorded the statement of Notary Public qua this writing. Though, there is no entry in the register of Notary Public, but he admitted that it is attested by him.

In pursuance of the interim order dated 18.11.2016, the petitioner has already joined the investigation. He is now not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated

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18.11.2016 passed by this Court, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

07.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No