

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

CRM-M No.41120 of 2016 (O&M)

Date of Decision: 17.2.2017

Sanjeev Kumar

..Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.V.K.Kaushal, Advocate for the petitioner.

Mr.K.S.Pannu, DAG Punjab.

Mr.B.S.Randhawa, Advocate for the complainant.

AMOL RATTAN SINGH, J.

Pursuant to the order dated 20.1.2017, an affidavit of Sh.Varinder Paul Singh PPS, Senior Superintendent of Police, District Rupnagar, has been filed in the Court today, which is taken on record. A perusal of the affidavit shows that despite the petitioner having been granted an additional opportunity to deposit ₹One lakh with the Investigating Officer, in terms of the order dated 18.11.2016, he has not done so.

Despite an adjournment slip having been filed, learned counsel for the petitioner is present. He could not refute the factual position depicted hereinabove.

As per the learned State counsel, on instructions from Sh.G.S.Ghosal, Deputy Superintendent of Police, Nangal, who is

investigating the matter, the petitioner has not joined investigation also. That apart, it is seen that in the affidavit of the Senior Superintendent of Police, it has also been stated that upon enquiry from the railway authorities, the documents which the petitioner gave to the complainant, with regard to recruitment to a post in the Eastern Railway, Kolkata, are stated to be forged/fake documents, as per the railway authorities. Further, a deposit of funds is also found to have been made, as per the investigation, into the account of the petitioner by one Tarsem Lal, who is stated to be the uncle of the complainant.

On the issue of why not even the basic investigation was carried out by the Investigating Officer earlier, to determine as to whether any amount was deposited in the account of the petitioner in the bank at Mehatpur Branch, District Una (HP) and why the railway authorities had never been approached earlier to determine the genuineness of the documents given by the petitioner to the complainant, the affidavit states that disciplinary proceedings have been initiated against one ASI Balbir Kumar, who was earlier the Investigating Officer.

It is hoped that disciplinary proceedings shall be taken to a logical end and the Sr. Superintendent of Police would ensure that proper investigation is carried out in other matters also.

Be that as it may, it being a separate issue, without making any comment on the allegations against the petitioner, in view of the fact that this is only a petition seeking anticipatory bail, however, in view of what is stated in the affidavit, I see no reason to continue the interim order issued in favour of the petitioner on 19.12.2016.

Consequently, the petition is dismissed and the aforesaid interim order stands vacated.

17.2.2017
Meenu

(Amol Rattan Singh)
Judge

Whether speaking/reasoned - Yes/No
Whether Reportable - Yes/No