

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4036 of 2017 (O&M)

Date of Decision: 05.05.2017

Rai Sahab

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Sanjeev Gupta, Advocate for the petitioner.

Mr. Amit Singh Sethi, Addl. A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.04 dated 6.4.2016 under sections 409, 420, 120-B I.P.C and section 13(1)(D) read with section 13(2) of Prevention of Corruption Act, registered at Police Station, Vigilance Bureau FS-I, Mohali.

Briefly, it may be noticed that the allegations against the petitioner are of having acted as a conduit pertaining to recruitment to certain posts in the Department of Local Govt., Punjab and in the process having made available the question papers to the prospective candidates.

It has gone uncontroverted that against the backdrop of the allegations contained in the FIR the concerned department of State of Punjab has scrapped the entire selection process and as such, no appointment in pursuance thereto have fructified.

On 8.2.2017, while issuing notice of motion, the following order was passed by this Court:-

“Counsel adverts to the order dated 23.12.2016, passed by a Coordinate Bench of this Court in CRM No. M-46305 of 2016 to contend that co-accused Vinod Nehra and

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against whom there were identical allegations, has been granted ad interim protection as regards arrest.

Notice of motion, returnable for 1.3.2017.

To be heard along with CRM No. M-46305 of 2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from Dy.S.P. Dharampal would apprise the Court that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 8.2.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

05.05.2017
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Whether speaking/reasoned: Yes
Whether Reportable: No