

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

CRM No.M-44193 of 2016 (O&M)

Date of decision: March 16, 2017

Surjit Singh Dabb

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Davinder Bir Singh, Advocate,
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

ASI-Barjinder Singh, Investigating Officer, in person.

INDERJIT SINGH, J.

Learned counsel for the petitioner prays that he may be allowed to withdraw this petition.

Dismissed as withdrawn.

From the perusal of record, I find that after the dismissal of anticipatory bail application by this Court, vide order dated 09.12.2014, in CRM No.M-41944 of 2014, ASI-Barjinder Singh, Investigating Officer, has released the petitioner on bail, which is illegal and bail granted by Investigating Officer is cancelled.

Accordingly, ASI-Barjinder Singh was directed to file detailed affidavit to show that under which provisions and circumstances, he has released the petitioner on bail.

Today, ASI-Barjinder Singh has filed his affidavit in the Court.

Same is taken on record.

I have heard ASI-Barjinder Singh in person, who asked for pardon and states that he was not aware of the provisions that he cannot release the petitioner on bail.

The aforesaid conduct on the part of police official shows prima facie gross negligence in duty and warrants for disciplinary action against him.

Accordingly, Senior Superintendent of Police, Khanna is directed to inquire into the matter and take necessary action against said official, as per law.

A copy of this order be also sent to the learned trial Court with a direction to proceed against the petitioner, as per law.

March 16, 2017
rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	No