

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-5537 of 2017 (O&M)

Date of Decision: 05.05.2017

Kuresh Kumar Dwivedi

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Jai Bhagwan, 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.15 dated 16.10.2016 under sections 409, 420, 465, 467, 468, 471, 120-B I.P.C and sections 13(1) (D) read with section 13 (2) of Prevention of Corruption Act, registered at Police Station, Vigilance Bureau, FS-I, Mohali.

In a nutshell, allegations against the petitioner are of having acted as a conduit with regard to an examination/recruitment paper meant for the post of Sub Divisional Engineer (Civil) under the Department of Irrigation, State of Punjab and having received consideration from the prospective candidates.

On 22.2.2017, this Court had directed the petitioner to join investigation and ad interim protection as regards arrest had been granted subject to conditions envisaged under Section 438(2) Cr.P.C.

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

The uncontroverted position of fact is that the selection process in relation to the post in question and against which allegations have been raised, was scrapped by the concerned department of the State of Punjab.

Co-accused Gaganjeet Singh and Prashant Kumar and against whom also there were similar allegations, have been granted concession of pre-arrest bail by this Court in the light of order dated 19.4.2017, passed in CRM No. M-44711 of 2016 and CRM No. M-46693 of 2016.

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 22.2.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

05.05.2017

lucky

Whether speaking/reasoned:	Yes
Whether Reportable:	No