

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-714 of 2017 (O&M)

Date of Decision: 14.03.2017

Rajesh Kumar Kapoor

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Kunal Mulwani, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.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.23 dated 16.8.2016 under sections 409, 420, 467, 468, 471, 120-B I.P.C read with Sections 7, 11, 12, 13 (i), (c), (d), (ii), (iii) and 13(2) of Prevention of Corruption Act, registered at Police Station, Vigilance Bureau, Amritsar.

On 13.1.2017, while issuing notice of motion, the following order was passed by this Court:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.23 dated 16.08.2016, under Sections 409/420/467/468/471/120-B of Indian Penal Code read with Sections 7, 11, 12, 13 (i), (c), (d), (ii), (iii) and 13(2) of Prevention of Corruption Act, registered at Police Station Vigilance Bureau, Amritsar.

Briefly noticed the allegations are that D.P. Bhagat co-accused while acting in the capacity of General Manager, Industrial Centre, Amritsar in connivance with the management of M/s Kay Pee Industries and including the present petitioner instead of complying with the order of the

Director of Industries, Punjab to evict the alleged illegal occupants of certain industrial sheds has taken gratification and thereby caused a huge loss to the state exchequer.

Counsel inter alia contends that D.P.Bhagat co-accused has been granted concession of anticipatory bail by this Court vide order dated 06.12.2016 in CRM No.M-32465 of 2016. It is further submitted that the petitioner is ready and willing to join investigation.

Notice of motion, returnable for 14.03.2017.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/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 Inspector Jaspinder Singh would apprise the Court that the petitioner has since joined investigation. It is further submitted that the petitioner is not required for any custodial interrogation.

Accordingly, the present petition is allowed. The order dated 13.1.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.03.2017

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Whether speaking/reasoned: Yes
Whether Reportable: No