

Sr. No.106

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-8792 of 2017 (O&M)

Date of Decision:15.03.2017

Vinod Nehra

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Vishavdeep Singh Rana, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

This is the second petition preferred under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.04 dated 06.04.2016, under Sections 409, 420, 120-B of IPC and Section 13(1)(d) read with Section 13(2) of Prevention of Corruption Act, registered at Police Station Vigilance Bureau, P.S. 1, Mohali, Punjab.

In the first petition i.e. CRM No.M-46305 of 2016 such concession was declined by this Court in the light of order dated 01.03.2017 and in the following terms:

“The present petition has been filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.4 dated 6.4.2016 under sections 409, 420, 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, P.S-I, Punjab, Mohali.

Essentially the allegation against the present petitioner was of having acted as a conduit in connivance with Rai Singh and Sandeep Singh and having taken prospective candidates seeking appointment to various Class-II and Class-

III posts under the Local Bodies Department, Punjab and to facilitate them to have access to the question paper.

On the last date of hearing i.e. 23.12.2016, this Court while issuing notice of motion had directed the petitioner to join investigation on 7.1.2017 and 21.1.2017 and had observed that in case the petitioner does so, he would be released on interim bail to the satisfaction of the Arresting Officer.

The categoric stand taken by learned State counsel and who is on instructions from Inspector Harish Kumar is that the petitioner has chosen not to join investigation on the afore-noticed two dates.

Learned counsel appearing for the petitioner is not in a position to rebut such stand taken on behalf of the State and rather submits that after the last hearing before this Court the petitioner is not in touch with him.

The conduct of the petitioner disentitles him from the concession of pre-arrest bail.

Petition is dismissed.”

This Court does not find any basis or justification for entertaining the second petition since the petitioner had admittedly misused the concession of interim bail that had been granted to him earlier in point of time and the same stood duly recorded in the order dated 01.03.2017.

Petition is dismissed.

15.03.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No