

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

CRM No. M-9679 of 2017.

Date of Decision: 05.04.2017.

Amandeep Singh Gill

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. G.S. Sandhu, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Addl. AG, Punjab.

Mr. A.S. Brar, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 the Cr.P.C seeking regular bail in case FIR No.187 dated 20.12.2014, registered under Sections 420 and 120-B IPC at Police Station Moga Sadar, District Moga.

Learned counsel for the petitioner contends that as per the allegations, the petitioner received a sum of Rs.12,65,000/- on different dates from the complainant, Raj Kaur for getting her son exonerated who allegedly had been made an accused in the FIR wherein her other son had been killed. The first instalment of Rs.2,50,000/- was paid by her on 18.01.2014 in the presence of Gurpreet Singh. However, during the inquiry, presence of Gurpreet Singh was not proved at the time of making payment on 18.01.2014. Said Gurpreet Singh has been admitted to bail by this Court vide order dated 08.02.2017, Annexure

On the other hand, the learned State counsel submits that initially, Superintendent of Police, Moga carried out investigation and recommended registration of FIR against the petitioner as well as Gurpreet Singh. However, subsequently, on the application made by the father of co-accused Gurpreet Singh, another inquiry was conducted by Gurmeet Singh, DSP which exonerated co-accused Gurpreet Singh.

Heard.

Considering the fact that there are specific allegations against the petitioner and the fact that in the initial inquiry conducted by a superior officer i.e. Superintendent of Police, Moga the allegations prima-facie are made out, therefore, no case for grant of bail is made out at this stage. The petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

However, the State is directed to explain as to how the subsequent inquiry was conducted by a subordinate officer when the initial inquiry conducted by Superintendent of Police had attained finality. It be also indicated whether State proposes to file any cancellation petition in the case of co-accused, Gurpreet Singh. A response in the matter be filed by the I.G. Zone, Bathinda within two weeks from today.

Post again on 27.04.2017.

05.04.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No