

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

(1)

**Crl. Misc. No.M-10371 of 2018 (O&M)
Date of Decision: May 08, 2018**

Ram Pal

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

(2)

Crl. Misc. No.M-10838 of 2018 (O&M)

Arju Singh @ Arjun Singh

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jainainder Saini, Advocate
for the petitioner in CRM-M-10371-2018.

Mr. Sunil Saharan, Advocate
for the petitioner in CRM-M-10838-2018.

Ms. Neelam Kashyap, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

Both the petitions captioned above have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.47 dated 24.11.2015 registered for the offences punishable under Sections 7/8 of Prevention of Corruption Act, 1988 at Police Station SVB, Hisar.

Heard.

Learned State counsel submits that as per the allegations against the petitioners, they have demanded ₹60,000/- for deleting the name of Pardeep Kumar, nephew of complainant in FIR No.136 dated 17.02.2015 registered for the offence punishable under Section 307 read with Section 34 IPC and Section 25 Arms Act at Police Station Sadar Hisar. The deal was settled through Ram Pal contractor (petitioner) for ₹30,000/-. Conversation with Ram Pal and Arjun Singh to this effect was recorded by nephew of complainant namely Anoop Kumar. Recorded conversation was sent to Forensic Science Laboratory for comparison with specimen voice of petitioners and as per the report, specimen voice of both the petitioners tally with the recorded voice. In view of this evidence, custodial interrogation of the petitioners is required. Ram Pal petitioner is a police tout while Arjun Singh is a police official, who were involved in the deal.

Learned counsel for the petitioners have argued that the petitioners have been falsely implicated. No money was handed over to them. Earlier, it was represented before the Court that recording of their voice could not be got compared as the legal process was involved in it. Rampal, petitioner is a contractor and has no reason to influence the police officers while Arjun Singh being a petty police official, could not influence the Investigating Officer to delete the name of the petitioner named in the FIR as accused. It is further argued that name of nephew of complainant has already been deleted under the order of Senior Police Officer, who inquired into the matter.

It is a case where the allegation against the petitioners are very

serious in nature. The allegation of demand of money for deleting the name of a person from FIR find corroboration from conversation of petitioners, which was recorded. The case call for thorough investigation for which custodial interrogation of petitioners is required.

Keeping in view the above facts, circumstance and conduct of the petitioners, I do not find any reason to exercise the discretionary power of this Court to extend the benefit of pre-arrest bail in such type cases.

Both the petitions have no merits. Dismissed.

May 08, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***