

CRM-M-15221-2018

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

CRM-M-15221-2018

Date of Decision:28.08.2018

Sanjay Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surinder Dagar, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner-Sanjay Kumar has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.519 dated 10.09.2017, registered at Police Station City Yamuna Nagar, District Yamuna Nagar, under Sections 420 and 120-B of the Indian Penal Code and Sections 7 and 10 of the Prevention of Corruption Act, 1988.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

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From the record, I find that as per the prosecution version, Preeti had given ₹3 lakhs to Kapil for providing answer keys etc. for her brother-in-law. No money is stated to be paid to the present petitioner, but the present petitioner talked with main accused-Kapil, which has been intercepted.

In pursuance of the order dated 23.05.2018, learned State counsel informed this Court that there is no conversation recording of present petitioner with Preeti.

In compliance of the interim order dated 17.04.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 17.04.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

28.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No