

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-15715-2017(O&M)

Date of Decision: 17.01.2018

Navdeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. A.K. Walia, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

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.15 dated 16.10.2016 under sections 409, 420, 465, 467, 468, 471, 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, Phase-I, Mohali, District S.A.S. Nagar.

While issuing notice of motion, the following order was passed by this Court on 8.5.2017:-

“The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case F.I.R. No.15 dated 16.10.2016 under sections 409, 420, 465, 467, 468, 471, 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, Phase-I, Mohali, District S.A.S. Nagar.

Counsel submits that even though name of the petitioner does not figure in the FIR but during the course of investigation petitioner is sought to be implicated on the allegations that he acted as a conduit with regard to an

examination/recruitment paper meant for the post of Sub Divisional Engineer (Civil) under the Department of Irrigation, State of Punjab and received consideration from the prospective candidates.

Counsel would argue that the selection process in relation to the post in question and against which allegations have been raised already stands scrapped by the concerned department of the State of Punjab. That apart, main accused Kuresh Kumar Dwivedi has been granted concession of pre-arrest bail in the light of order dated 5.5.2017, passed in CRM No. M-5537 of 2017.

Notice of motion, returnable for 10.8.2017.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/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 Randeep Kumar would apprise the Court that the petitioner has since joined investigation. That apart, the observations contained in the notice of motion order have gone un rebutted.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 8.5.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.01.2018
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No