

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-23059 of 2018 (O&M)

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Date of decision:28.9.2018

Saroj Bala

.....Petitioner

v.

State of Haryana

.....Respondent

....

(2) Criminal Misc. No.M-27626 of 2018 (O&M)

.....

Anita Devi

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. S.K. Garg Narwana, Senior Advocate with Mr. Japjit Singh Johal, Advocate for the petitioner in Cr. Misc. No.M-23059 of 2018.

Mr. Sukhvir Singh Sahu, Advocate for the petitioner in Cr. Misc. No.M-27626 of 2018.

Mr. Vikas Chopra, Deputy Advocate General, Haryana for the respondent-State.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0011 dated 28.4.2018 registered for the offences under Sections 7 and 8 of the Prevention of Corruption Act, 1988 and Section 384 IPC and (Sections 166, 167, 195, 203, 205, 217, 218, 389 and 120-B IPC, which were added later on) at Police Station State Vigilance Bureau, Hisar.

Notice of motion has been issued in these cases.

Mr. Vikas Chopra, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners and learned State counsel appearing for the respondent-State and have gone through the record.

As per the allegations in the FIR, one girl Ruchi found the complainant and stayed in the hotel room. The girl blackmailed the complainant by stating that she had clicked his photographs. As per the allegations, she reported the matter to Saroj Bala-S.H.O., Women Police Station, who rang up the complainant and asked him to come to the police station. There is no allegation in the FIR that Saroj Bala-S.H.O. demanded any bribe. The bribe was demanded by Surinder, Driver of the SHO and Joginder etc. and they have been apprehended by the Police in the trap. There is no allegation that Saroj Bala has demanded the bribe nor she accepted any bribe. She has already joined the investigation.

As regards petitioner-Anita Devi, there is allegation that she has engaged Ruchi for this purpose. In the FIR, no active role is attributed to the petitioner-Anita Devi.

The present petitioners have already joined the investigation. As stated they are not required for any custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present

cases; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The interim orders dated 25.5.2018 and 6.7.2018 respectively passed by this Court granting interim bail to the petitioners are made absolute. However, the petitioners 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.

September 28, 2018.

(Inderjit Singh)
Judge

hsp

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