

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25630 of 2018

.....

Date of decision:30.7.2018

Raj Balwinder Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. S.P.S. Sidhu, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Pankaj Bhardwaj, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0075 dated 13.4.2018 registered for the offences under Section 13(1)(d)(iii) of the Prevention of Corruption Act, 1988 (hereinafter referred to as 'the PC Act') and Section 72 of Information Technology Act, 2000 and Section 120-B IPC at Police Station City Kharar, District S.A.S. Nagar (Mohali).

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Pankaj Bhardwaj, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

As per the allegations in the FIR, the present petitioner being posted as Deputy Superintendent of Police and being a public servant had misused his power by issuing the call record of the complainant and giving it to the opposite party.

The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 18.6.2018 passed by this Court 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.

July 30, 2018.

(Inderjit Singh)
Judge

hsp

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