

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-35644-2018

Date of Decision: 15.10.2018

Kuldeep Rai

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jagjot Singh Lalli, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J.

Petitioner Kuldeep Rai has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.08 dated 18.04.2018, registered at Police Station Vigilance Bureau, District Jalandhar, under Sections 7 and 13(2) of the Prevention of Corruption Act, 1988 read with Section 120-B of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel has appeared 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 have gone through the record.

From the record I, find that the allegation regarding demand of bribe is against Chief Agriculture Officer. The only allegation against the present petitioner, who is the driver of the Chief Agriculture Officer is that he had gone to the shop of the complainant to take ₹8,000/- and he had received the said amount from him (complainant) on behalf of the Chief

Agriculture Officer.

Learned counsel for the petitioner submits that the petitioner had neither demanded any bribe nor accepted for himself.

In pursuance of the interim order dated 20.08.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner 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 20.08.2018, 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.

15.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No