

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 26.10.2018

1. CRM-M-40267-2018

Vicky Bhara @ Jaspal

.. Petitioner

Vs.

State of Punjab

..Respondent

2. CRM-M-40496-2018

Gurdeep Singh Matharu @ Jazzy

.. Petitioner

Vs.

State of Punjab

..Respondent

3. CRM-M-41642-2018

Baljinder Singh @ Bittu @ Jaila

.. Petitioner

Vs.

State of Punjab

..Respondent

4. CRM-M-42326-2018

Neetu Goyal

.. Petitioner

Vs.

State of Punjab

..Respondent

5. CRM-M-41694-2018

Ashok Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Monty Goyal, Advocate for the petitioner
in CRM-M-40267-2018.

Mr. Vikrampreet Singh, Advocate for
Mr. Bikramjeet Singh Jatana, Advocate for the petitioner
in CRM-M-40496-2018.

Mr. Sarbjit Singh Grewal, Advocate for the petitioner
in CRM-M-41642-2018.

Mr. Jagmeet Singh Moudgill, Advocate for the petitioner
in CRM-M-42326-2018.

Ms. Harpreet Kaur, Advocate for
Mr. R.V.S. Chugh, Advocate

for the petitioner in CRM-M-41694-2018.

Ms. Monika Jalota, DAG, Punjab.

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Inderjit Singh, J. (Oral)

This order shall dispose of 5 connected cases i.e CRM-M-40267-2018, filed by petitioner-Vicky Bhara @ Jaspal, CRM-M-40496-2018, filed by petitioner-Gurdeep Singh Matharu @ Jazzy, CRM-M-41642-2018 filed by petitioner-Baljinder Singh @ Bittu @ Jaila, CRM-M-42326-2018 filed by petitioner-Neetu Goyal and CRM-M-41694-2018 filed by petitioner-Ashok Kumar under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.93 dated 23.08.2018, registered at Police Station City-1, District Mansa, under Sections 7 and 13(2) of the Prevention of Corruption Act, 1988 and Sections 420 and 120-B of the Indian Penal Code, 1860.

Notice of motion was issued in all these petitions.

Learned State counsel put in appearance on behalf of the respondent-State and contested these petitions.

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

As per the prosecution version, Balwinder Singh @ Binder, Ranvir Singh and Rohit Kumar had submitted their affidavits and got recorded their separate statements. Ranvir Singh disclosed that ₹15,000/- was given to Inspector Amanpal Singh Virk and ₹35,000/- was given at his residence. The deal was got effected by his friend Jazzy with Inspector Amanpal Singh. Rohit Kumar also disclosed that his friend Ashok Kumar had obtained ₹30,000/- from him for getting the matter settled. Later on, he came to know that Ashok Kumar, Nittu and Vicky divided the said amount of ₹30,000/- among them. Balwinder Singh disclosed that ₹10,000/- was

obtained by Bittu from him for giving the same to ASI Angrej Singh. It was found that ₹50,000/- was obtained from Ranvir Singh, ₹35,000/- was obtained from Rohit Kumar and ₹10,000/- was obtained from Balwinder Singh for getting the matter settled.

The petitioners are not the public servants. They are the private persons. In pursuance of the interim orders dated 18.09.2018, 20.09.2018, 26.09.2018 and 21.09.2018 passed in CRM-M-40496-2018, CRM-M-41642-2018, CRM-M-42326-2018 and CRM-M-41694-2018 respectively by this Court, the petitioners, namely, Gurdeep Singh Matharu @ Jazzy, Baljinder Singh @ Bittu @ Jaila, Neetu Goyal and Ashok Kumar have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Therefore, no useful purpose will be served by sending them 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 all these petitions and the same are allowed. The orders dated 18.09.2018, 20.09.2018, 26.09.2018 and 21.09.2018 respectively 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.

As regarding petitioner-Vicky Bhara @ Jaspal, he has not joined the investigation so far as after receiving the injury, he has been admitted to hospital. In the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the

investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

26.10.2018

Jasmine Kaur

(INDERJIT SINGH)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No