

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(i) CRM No.M-40897 of 2017 (O&M)

Avtar Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

(ii) CRM No.M-41970 of 2017 (O&M)

Mohinder Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

Date of Decision: September 11, 2018

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vijay Lath, Advocate
for the petitioner (in CRM No.M-40897 of 2017).

Mr.Baljinder Singh, Advocate
for the petitioner (in CRM No.M-41970 of 2017).

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

Mr.Jasraj Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as these

Petitioners have filed these petitions under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.123 dated 08.10.2017 under Sections 380, 506 IPC and Sections 7 and 13 of the Prevention of Corruption Act, registered at Police Station Chabbewal, District Hoshiarpur.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petitions.

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

From the record, I find that FIR in this case was got registered by Navjot Singh. The allegation is that Avtar Singh and ASI Mohinder Singh along with one other person, came and took away ₹14,000/- lying in the complainant's house and ₹9,000/- cash and other proofs from the wallet of the complainant, mobile phones etc. They said to the complainant to come to Chabbewal to compromise the matter, otherwise, they will lodge case of intoxicants against him. Further, the allegation is that accused took the complainant later on to Chabbewal. ₹1,50,000/- was handed over to ASI Mohinder Singh in the presence of the complainant. It is also stated by the complainant that he has 20 recordings with him.

In the present case, interim bail was granted by the Coordinate Bench and voice samples of petitioners were taken. Report of CFSL has been received. As per the report, voice samples could not be compared with questioned voice samples as there was lot of noise in the recordings of questioned voice samples. There is no specific allegation as to who had paid ₹1,50,000/- to ASI Mohinder Singh.

The petitioners have already joined the investigation. They are

will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioners are entitled to benefit of anticipatory bail. Therefore, both the petitions are accepted and the order dated 01.11.2017 passed in CRM No.M-40897 of 2017 and order dated 08.11.2017 passed in CRM No.M-41970 of 2017 granting interim bail to the petitioners, are made absolute.

September 11, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No