

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51084-2018

Date of Decision: 07.12.2018

Preetinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.D.S. Sukhija, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Preetinder Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.15 dated 10.08.2018, registered at Police Station Vigilance Bureau Range Amritsar, District Amritsar, under Sections 7 and 13(2) of the Prevention of Corruption Act, 1988 and Sections 342 and 120-B of the Indian Penal Code.

Notice of motion was issued.

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 in the FIR though it is stated that HC Balwinder Singh had demanded the bribe money from the complainant on his as well as on behalf of the SHO, yet there is no allegation nor there is anything connecting the present petitioner with the demand except the statement of co-accused HC Balwinder Singh made to the complainant. A

trap was laid and co-accused HC Balwinder Singh was apprehended.

In pursuance of the interim order dated 20.11.2018, 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 20.11.2018, 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.

07.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No