

Sr. No.211
**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-50164 of 2017 (O&M)

Date of Decision: 23.01.2018

Sewak Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Parminder Singh-I, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition seeking concession of anticipatory bail to the petitioner in case FIR No.20 dated 07.12.2017, under Sections 7, 13(2) of Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Bathinda.

While issuing notice of motion, the following order was passed on 01.01.2018:

“Learned counsel for the petitioner contends that allegations against the petitioner are that in the year 2010 for the purpose of entering the mutation of inheritance of Gurnaib Singh in favour of Karnail Kaur complainant, he agreed to accept Rs.1,70,000/- as bribe and mutation was entered but it became disputed and ultimately referred to SDM. A complaint was made in the year 2016 and after

inquiry, now, the case has been registered on 7.12.2017 under Sections 7 and 13(2) of Prevention of Corruption Act, 1988 at Police Station Vigilance Bureau, Bathinda. Learned counsel for the petitioner further contends that the petitioner has already retired from service in April 2017.

Notice of motion for 23.1.2018.

On asking of the Court, Mrs.Anju Arora, Addl.A.G. Punjab accepts notice on behalf of the respondent. Copy of the petition be supplied to her during the course of the day.

In the meanwhile, petitioner is directed to join the investigation within seven days. In the event of his arrest, he will be released on interim bail to the satisfaction of Arresting Officer subject to the such conditions as may be imposed.”

Learned State counsel upon instructions from ASI Baljinder Singh apprised the Court that the petitioner has since joined investigation. That apart it has gone uncontroverted that the mutation in question had been entered by the petitioner in the capacity of a revenue official in the year 2010 in favour of the complainant, namely, Karnail Kaur who is stated to have entered into a kareva marriage with deceased Gurnaib Singh. The allegations are with regard to a demand of illegal gratification of Rs.2 lacs and deal having been finalized at Rs.1,70,000/-. The mutation became a subject matter of dispute at the hands of other claimants in the year 2010 itself and the matter was referred to the SDM. Ultimately before the competent Civil Court a settlement was arrived at which is reflected in the decision placed on record

at Annexure P-2 in which all the claimants were given a share including the complainant Karnail Kaur.

Even such settlement relates back to the year 2014.

Complaint has been preferred by Karnail Kaur in the year 2016.

Petitioner already stands superannuated from service in April, 2017.

Under such peculiar circumstances and the petitioner having already joined investigation, prayer in the instant petition is accepted.

Order dated 01.01.2018 passed by this Court is made absolute.

Disposed of.

23.01.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No