

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-52383 of 2018

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Date of decision:19.12.2018

Vazir Singh Mor

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. R.S. Cheema, Senior Advocate with Ms. Tanu Bedi,
Advocate for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana for
the respondent-State.

Mr. K.S. Chahal, Mr. Amritpal Singh Gill and Ms. Bably
Kumari, Advocates for the complainant.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant
of anticipatory bail in case FIR No.546 dated 26.9.2017 registered for the
offences under Sections 218, 120-B IPC and Sections 7, 8, 9, 12, 13(1)(d),
and 13(2) of the Prevention of Corruption Act, 1988 at Police Station City
Fatehabad, District Fatehabad.

Notice of motion has been issued in this case.

Mr. Tanuj Sharma, learned Assistant Advocate General,
Haryana has put in appearance on behalf of the respondent-State and Mr.
K.S. Chahal, Mr. Amritpal Singh Gill and Ms. Bably Kumari, learned
Advocates have appeared for the complainant and contested this petition.

I have heard learned counsel for the parties and learned State
counsel appearing for the respondent-State and have gone through the

record.

As per the FIR, the present petitioner was working as a middleman for paying the bribe money to O.P. Narwal, S.P. and Sub Inspector Krishan Kumar etc. O.P. Narwal has not been named as accused so far and Krishan Kumar has already been granted the benefit of bail as argued.

The main allegations against the present petitioner have been levelled on the basis of disclosure statements of the co-accused. Learned senior counsel for the petitioner argued that these are inadmissible in evidence.

The present petitioner has already joined the investigation. As stated he is not required for any custodial interrogation. Keeping in view the fact that the main accused has already been granted the benefit of bail, I find that no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 29.11.2018 passed by this Court 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.

December 19, 2018.
hsp

(Inderjit Singh)
Judge

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NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No