

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

**Criminal Misc. No. M-6701-2018
Date of Decision: 09.07.2018**

Rahul Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner.
Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner-Rahul Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.2 dated 16.01.2018, registered at Police Station Vigilance Bureau, Patiala Range, District Patiala, under Sections 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1998 and Section 120-B of Indian Penal Code.

Notice of motion was issued in this case.

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.

As per the arguments of learned counsel for the petitioner that in the trap that had been laid, co-accused-Manjit Singh, D.F.S.C., Sangrur was apprehended while allegedly accepting illegal gratification of Rs.30,000/- and the present petitioner was not present at the spot at the time

Moreover, in pursuance of the interim order dated 18.04.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing has been 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 18.04.2018, 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.

09.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No