

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

CRM No.M-8182 of 2018 (O&M)

Date of Decision: August 28, 2018

Inspector Vijay Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vikram Chaudhri, Senior Advocate with
Mr.R.P.Saini and Mr.Sartaj S. Gill, Advocates
for the petitioner.

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

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.70 dated 09.10.2017 under Sections 7 and 13 of the Prevention of Corruption Act read with Section 342 IPC, registered at Police Station Mehta, Amrtisar.

Notice of motion was issued. Learned State counsel appeared and contested the 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 FIR in the present has been registered on the basis of letter issued by Inspector General of Police,

Intelligence, Punjab. As per prosecution version, one Amarbir Singh, who is

defrauding people by taking ₹4 lakhs from them on the pretext of getting recruited in the Army, was apprehended. Inspector Vijay Kumar (petitioner) along with Sub Inspector Surinder Singh recovered many certificates from above-said Amarbir Singh during questioning. As per the allegations, Amarbir Singh paid bribe of ₹46 lakhs to Inspector Vijay Kumar to hush up the matter and that money was shared between Inspector Vijay Kumar and SI Surinder Singh. There are allegations that Inspector Vijay Kumar also extorted ₹10 lakhs from a boy whose certificates were recovered from Amarbir Singh. In this way, total ₹56 lakhs has been collected by Inspector Vijay Kumar and SI Surinder Singh with the help of junior staff etc.

The present petitioner earlier filed the petition for anticipatory bail before this Court, in which following order was passed:-

“After arguing for some time, when this Court was not satisfied about the merits of the case, learned counsel for the petitioner wishes to withdraw the anticipatory bail application. Dismissed as withdrawn.”

Thereafter, co-accused Surinder Singh filed petition for anticipatory bail before this Court, which was allowed vide order dated 23.01.2018 by this Court.

The present petitioner has apprehended Amarbir Singh from outside his jurisdiction and has not informed senior officers and he hushed up the matter by taking ₹46 lakhs from Amarbir Singh and there is also allegation of receiving ₹10 lakhs from one another person also. Though, as per the allegations, the money was shared by Sub-Inspector Surinder Singh and other junior staff but the main accused is present petitioner Inspector Vijay Kumar and he is required for custodial interrogation and

investigation.

Otherwise also, keeping in view the nature and gravity of the offence and serious allegations against the petitioner, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

The order dated 16.05.2018 granting interim bail to the petitioner stands vacated.

August 28, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No