

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45991-2018

Date of Decision: 31.01.2019

Kirpal Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Narinder S. Lucky, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioners Kirpal Singh and Seema have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.103 dated 21.09.2018, registered at Police Station Mamdot, District Ferozepur, under Sections 420 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 as per the FIR, complainant-Gurdev Singh had given ₹7,50,000/- to the present petitioners for arranging government job for his son and daughter-in-law.

As per the prosecution version, the petitioners arranged a job in some private company and not provided the government job and after 15 days, the complainant came to know about it. The said money was paid in

the year 2015, but this FIR has been registered after a gap of more than 2½ years and there is no cogent reason for this delay.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated due to some other reasons, which are clear from Annexure P-2 (Apology in Writing) etc.

In pursuance of the interim order dated 17.10.2018, passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. No useful purpose would be served by sending them 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 17.10.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners 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.

31.01.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No