

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 35930 of 2019

Date of Decision: 17.9.2019

Gurbhej Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. A.D.S.Sukhija, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioner is seeking anticipatory bail in FIR No. 4 dated 6.4.2016 under Section 409, 420, 120-B of the Indian Penal Code and Section 13(1) r/w 13(2) of Prevention of Corruption Act (Sections 409 IPC and 13(1) r/w 13(2) of Prevention of Corruption Act was deleted later on), registered at Police Station Vigilance Bureau FS-1, Mohali.

On 30.8.2019, following order was passed by this Court:-

“Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner, namely Gurbhej Singh in case FIR No. 04 dated 06.04.2016, registered under Section(s) 409, 420 & 120-B IPC and Section 13(1) read with Section 13(2) of the Prevention of Corruption Act, 1988 (Section 409 IPC and Section 13(1) read with Section 13(2) of the Prevention of Corruption Act were deleted while filing of the challan) at Police Station Vigilance Bureau FS-1, Punjab at Mohali.

Learned counsel for the petitioner contended that petitioner has been falsely implicated in the case. Allegations in the FIR are against 32 persons, out of whom, report under Section 173 Cr.P.C. was presented against 28 persons only. Subsequently, Section 409 IPC and Section 13(1) read with Section 13(2) of the Prevention of Corruption Act were deleted. FIR relates to the

year 2016 and petitioner was never called in the case by the Investigating Agency as he has no role in the present case. More so, all his co-accused have already been granted bail by different courts and petition, filed by his co-accused, namely Tejinder Singh Viridi vide CRM-M-20874-2019, wherein he was ordered to be released on interim pre-arrest bail, is coming up for hearing before this Court on 17.09.2019. Learned counsel further contended that petitioner is ready to join the investigation.

Notice of motion.

On asking of the Court, Ms. Monika Jalota, Deputy Advocate General, Punjab accepts notice on behalf of the respondent. A copy of paper-book be provided to her during the course of the day.

List on 17.09.2019.

Meanwhile, petitioner(s) is directed to join the investigation. In the event of arrest, petitioner(s) shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner(s) will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C”

Learned State counsel, on instructions from Inspector Gurdev Singh, has submitted that in terms of the above order, petitioner has joined investigation.

Accordingly, interim bail granted by this Court to the petitioner vide order dated 30.8.2019 is made absolute.

Petition stands disposed of accordingly.

(HARNARESH SINGH GILL)
JUDGE

September 17, 2019
Gurpreet

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