

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41476-2019 (O&M)
Date of decision: 10.12.2019

Salender Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.11 dated 04.07.2019 under Sections 7 & 7-A of Prevention of Corruption Act, 1988, registered at Police Station State Vigilance Bureau, Hisar, District Hisar.

While granting interim bail to the petitioner, following order was passed by this Court on 14.11.2019: -

“As per allegations in the FIR, which was registered on the complaint of one Sher Singh, who stated that he had received orders of transfer to Gurugram Depot. Sunder Ram, who was dealing with the issue of transfers at Fatehabad, assured the complainant that in case the complainant pays illegal gratification of Rs.5000/-, he would save him from the said transfer. The

complainant recorded the conversation. A raiding party was formed. Sunder Ram was apprehended red-handed while receiving amount of Rs.4000/- as illegal gratification. On interrogation, Sunder Ram disclosed that out of said amount of Rs.4000/-, Rs.2500/- was to be paid to the petitioner.

Learned counsel for the petitioner states that the petitioner has rendered 20 years of service and during his entire service, there has been no complaint against him. He further contended that petitioner is ready and willing to join the investigation.

On the other hand, learned State counsel has argued that it has come forth in the conversation between the complainant and Sunder Ram that an amount of Rs.2500/- was to be given to the petitioner. He further contended that during investigation, one another driver namely Satpal has also got recorded his statement that he had paid Rs.2000/- to the petitioner. Learned State counsel also contended that a letter dated 26.09.2019 has been issued by the General Manager, Haryana Roadways directing that conductors on deputation were to be retained at their present stations but the petitioner intentionally did not circulate the letter.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Ajit Singh, has not disputed the factual position and states that the petitioner is no more required

for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 14.11.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

10.12.2019
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No