

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

1. **CRM-M No.2624 of 2020**
Date of Decision: 05.02.2020

Amarjeet KaurPetitioner
Vs
State of PunjabRespondent

2. **CRM-M No.2810 of 2020**

Jagar SinghPetitioner
Vs
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. A.S. Bhatti, Advocate,
for the petitioner in CRM-M No.2624 of 2020.

Mr. Bipan Ghai, Sr. Advocate with
Mr. Aman Deep Saini, Advocate
Mr. Paras Talwar, Advocate
for the petitioner in CRM-M No.2810 of 2020.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.

[1]. Vide this common order, CRM-M No.2624 of 2020 and CRM-M No.2810 of 2020 are being disposed of. Since both the cases have arisen from the same FIR, therefore, common facts are being noticed.

[2]. Petitioners seek anticipatory bail in case bearing FIR No.1 dated 06.01.2020 registered under Sections 7 and 8 of the Prevention of Corruption Act and Section 482 IPC at Police Station Pojewal, District SBS Nagar.

[3]. The FIR was registered on the basis of secret information to the effect that in the month of October 2019, Inspector Jagar Singh was posted as SHO at Police Station Pojewal. There he got recovered one swift car from Pardeep Kumar @ Vicky Bhand and Jogesh Kumar @ Kaku. The car was a stolen car from Garshankar on 03.10.2019 from Rakesh Kumar. The car was registered in the name of Parshotam Lal Bagga and its original registration number was PB07-AY-8322. The accused forged the number plate of the car as PB32-P-1717. In this connection, FIR No.165 dated 03.10.2019 was registered at Police Station Garshankar, under Sections 420/379 IPC. Inspector Jagar Singh was aware about this. He brought the accused and the car in Police Station Pojewal on 19.10.2019. The accused admitted their guilt. Due to some connivance, Pardeep Kumar @ Vicky Bhand involved his relative Amarjeet Kaur to settle the deal. Inspector Jagar Singh talked with her on telephone and demanded money. The deal was finalized for Rs.3,50,000/-. An amount of Rs.50,000/- was received on the same day and the remaining amount of Rs.3 lakhs was to be paid later on.

[4]. It is further alleged in the FIR that Inspector Jagar Singh booked the accused for the offence under Section 207 of the Motor Vehicles Act and told them that after showing the R.C.

of the car bearing No.PB32-P-1717 (fake number plate of the car), the car would be released after paying the fine. Pardeep Kumar @ Vicky was arrested under Section 110 Cr.P.C. and was sent to jail. Accused Jogesh Kumar @ Kaku was let off without taking any action. Amarjeet Kaur got the aforesaid car released on 22.11.2019. The accused sold the gold articles lying in the car to local goldsmith Rakesh Kumar son of Shadi Lal for about Rs.7 lakhs. After selling the gold, they paid an amount of Rs.2 lakhs and Rs.1 lakh to Inspector Jagar Singh thereby making total tally of Rs.3,50,000/- as bribe money. With this background, the case was registered for the offences under Sections 379, 420, 482 IPC read with Section 7 & 8 of the Prevention of Corruption Act.

[5]. I have considered the submissions made by learned counsel for the parties.

[6]. The complicity of the accused/petitioners in the context of knowledge about the stolen vehicle and fake number plate on the vehicle requires custodial interrogation, particularly when Inspector Jagar Singh is alleged to have received the bribe money and in connivance with Amarjeet Kaur, he got the car released on 22.11.2019. Amarjeet Kaur facilitated the deal with Inspector Jagar Singh. The stolen car was having fake number plate which was impounded by Inspector Jagar Singh under

Section 207 of the Motor Vehicles Act. Even the fake number plate having No.PB-32P-1717 affixed on the stolen car belongs to the car of Amarjeet Kaur. All these allegations are required to be probed by way of proper interrogation of the accused in respect of their involvement in commission of the offence. The actual number of the car was PB-07-AY-8322.

[7]. The Investigating Agency has also relied upon audio recording of conversation allegedly took place between Amarjeet Kaur and Inspector Jagar Singh in which mode of payment of bribe money was discussed.

[8]. In view of aforesaid facts and circumstances of the case, I am of the considered opinion that custodial interrogation of the petitioners is required for proper investigation of the case.

[9]. For the reasons recorded hereinabove, I find no ground to grant concession of anticipatory bail in favour of the petitioners. Both the petitions are accordingly dismissed.

[10]. Nothing expressed hereinabove, shall be treated to be final expression on merits of the case.

February 05, 2020
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No