

201-A

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

**CRM-M No.12717 of 2020(O&M)
Date of Decision: 01.07.2020**

Narinder Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. B.S. Toor, Advocate
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.05 dated 15.02.2020 registered under Sections 7, 7-A of the Prevention of Corruption Act as amended by PC (Amendment) Act, 2018 and Section 120-B IPC at Police Station Vigilance Bureau Range Jalandhar, District Jalandhar.

Learned counsel for the petitioner submitted that

Kulwinder Kaur is the victim who gave an amount of Rs.1,00,000/- to the complainant through cheque along with passport and other documents for going to Canada. There are allegations that the aforesaid Kulwinder Kaur could not be sent to Canada for want of complete papers. Complainant returned her passport, but the amount was kept with him. In the context of return of the amount, the complainant has lodged the present FIR, ascribing the role of Reader of DSP, Ludhiana and other persons in making demand of money.

Kulwinder Kaur filed CRM-M No.10855 of 2020 in which interim anticipatory bail was granted to her vide order dated 16.03.2020.

Learned counsel for the petitioner contends that the complainant is working as a travel agent and had received money from Kulwinder Kaur for sending her abroad, but he did not do the needful. The lodging of FIR is a counter blast to the complaint filed by Kulwinder Kaur on 13.02.2020.

On 21.05.2020, following order was passed:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.5 dated 15.02.2020 registered under Sections 7, 7A of the Prevention of Corruption Act, 1988 (as amended by PC Amendment Act, 2018) and 120 of the Indian Penal Code, 1860, at Police Station Vigilance Bureau,

Jalandhar Range, District Jalandhar.

Learned counsel for the petitioner contends that the present FIR is in fact a reaction to the complaint filed by the co-accused-Kulwinder Kaur against the first informant who works as a travel agent. He further submits that co-accused of the petitioner namely Bhupinder Singh @ Bhinda, Kulwinder Kaur @ Pallavi and Bablu Kumar have been granted interim bail.

Learned counsel for the State does not dispute that three co-accused have been granted the concession of interim bail.

Adjourned to 01.07.2020.

To be heard alongwith CRM-M-12176-2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from Inspector Kuldeep Singh states that the petitioner has joined the investigation. Investigating Officer has collected call records and also recorded voice sample of the accused, but the petitioner is not cooperating with the Investigating Officer.

Be that as it may, in view of nature of allegations, I deem it appropriate to confirm the order dated 21.05.2020.

However, petitioner is directed to cooperate with the Investigating Officer and keep on joining the investigation as and when called upon to do so. The failure on the part of the petitioner would entail in giving right to the Investigating Officer to file an appropriate application for cancellation of anticipatory bail in accordance with law.

01.07.2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No