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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-23291 of 2020****Date of decision: November 02, 2020**

Sub Inspector Baljeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Ankur Mittal, Advocate for the petitioner.
Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for grant of pre-arrest bail to the petitioner in case FIR No.347 dated 16.07.2020, under Section 221 of the Indian Penal Code, 1860 (for short 'IPC') and Section 7 of the Prevention of Corruption Act, 1988 (for short 'P.C. Act'), registered at Police Station City Barnala, District Barnala.

Brief facts of the present case are that on 15.07.2020, a *ruqa* was received in the Police Station to the effect that one Mandeep Kaur wife of Jagdev Singh left her home without any intimation and eloped somewhere, resulting into registration of an FIR No.314 dated 16.05.2020 under Section 346 of IPC, at Police Station City Barnala. On the directions of Sub Inspector Baljeet Singh (petitioner), FIR No. 314 was investigated by ASI Pawan Kumar and during investigation, he got recovered Mandeep Kaur from Village Langeyana. ASI Pawan Kumar arrested Davinder Singh along with Lovepreet Singh and both were produced before the petitioner. Upon interrogation, Mandeep Kaur disclosed that she had gone with Davinder Singh and stayed with him from 07.06.2020 to 29.06.2020. She further stated that during this

period, above said Davinder Singh and Lovepreet Singh had withdrawn an amount of Rs.4 lacs from her account and this fact was in the knowledge of present petitioner. After recording the statement of Mandeep Kaur under Section 164 Cr.P.C. by the petitioner through ASI Pawan Kumar, she was handed over to her family, but petitioner neither nominated Davinder Singh or Lovepreet Singh as accused; nor arrested them in the aforesaid case, despite knowing their criminal background; rather let them off after taking huge bribe.

Matter was argued at length by both sides, but this Court was not inclined to accept the prayer of the petitioner for grant of pre-arrest bail. However, at the time of dictating the order, learned State counsel apprised that petitioner has surrendered today itself before learned CJM, Barnala and he has been taken into judicial custody and order of the CJM, reads as under:-

“Statement of serving constable HC Birbal Singh No. 295/Bnl has been recorded vide which he has proved the fact that proclamation was affixed on 06.09.2020. He has proved the proclamation order as Ex.P1 and report of proclamation got effected by him as Ex.P2.

At this stage counsel for the accused moved an application for surrendering the accused before the Court. Accused SI Baljit Singh surrendered in the Court today. He is taken into judicial custody and is ordered to be sent to place of safety so as to ensure that he is coronal negative. His corona test is ordered to be got conducted. He is directed to be produced before the Court on 03.11.2020. Notice to learned APP for the State and SHO concerned be also issued for the said date.

Sd/- CJM/ Barnala,

Date of order: 02.11.2020”

Since petitioner has surrendered before learned CJM, Barnala and taken into judicial custody, therefore, nothing survives in the present petition.

Consequently, the petition is dismissed as having been rendered infructuous.

(MAHABIR SINGH SINDHU)
JUDGE

November 02, 2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No