

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

**CRM-M No. 45184 of 2019 (O&M)  
Date of Decision:- 08.01.2020**

Bhushan Kumar

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Karan Singh, Advocate  
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

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**RAJ MOHAN SINGH, J.**(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.708 dated 17.09.2019, registered under Section 384/34 of Indian Penal Code and 13 (1) (d) and 7 of Prevention of Corruption Act, at Police Station Civil Lines, Karnal.

On 23.10.2019, following order was passed:-

*“Prayer is for grant of anticipatory bail in case FIR No.708 dated 17.09.2019 under Sections 384/34 IPC and 13 (1)(d), 7 of the Prevention of Corruption Act, 1988 registered at P.S Civil Lines, Karnal.*

*The FIR was registered on the complaint made by one Atul Sharma, who is stated to be Senior Accountant in Lotus Group of Companies alleging that on 10.09.2019, the complainant had given an amount of Rs.24 lacs to his employee Rattan Gupta for payment to various contractors. However, he did not pay the said amount to the contractor at Yamuna Nagar and got a taxi from Yamuna Nagar for Delhi along with the said amount. When he reached near new bus stand, Karnal, two persons; one in police uniform and the another in civil dress, stopped his vehicle and on the vehicle being checked, a sum of Rs.24 lacs was found in the bag. The mobile phone of Rattan Gupta was taken by the person, who was wearing police uniform and disclosed his name as Joginder whereas another person snatched amount of Rs.15 lacs from Rattan Gupta. Thereafter, mobile phone was returned. On the matter being reported to the Company officials, they visited the police station, Civil Lines, Karnal where they met Joginder Singh, who pleaded them not to make any complaint and in the evening the amount of Rs.15 lacs was returned to the complainant and Rattan Gupta. In consultation with the officers of the Company, the complainant lodged the present complaint against the police officials for the alleged crime being committed.*

*Learned counsel for the petitioner contends that the petitioner is not named in the FIR and that he is not a public servant. The amount allegedly taken by the police has been returned to the complainant. The name of the petitioner has only figured in the disclosure statement of Head Constable Satish Kumar. He states that the petitioner is only a whistle blower. He had in*

*fact, given an intimation to the police that an amount of Rs.24 lacs had been received by Rattan Gupta in the office of the Registrar, Yamuna Nagar. With regard to the allegation that the investigation revealed that Satish Kumar had spoken to the petitioner on his mobile at least 27 times and the location of the petitioner was also found near the place of occurrence, he argued that the petitioner is ready to cooperate in the investigation and hand over his mobile phone to the Investigating Officer.*

*Notice of motion for 27.11.2019.*

*Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required. ”*

In compliance to the aforesaid order, learned counsel for the petitioner states that the petitioner has joined the investigation and undertakes to join further investigation as and when called upon to do so by the Investigating Agency.

Learned State counsel on instructions from Sub Inspector Rajinder Singh states that his custodial interrogation is no more required in further investigation of the case.

In view of the statement made by learned State counsel, order dated 23.10.2019 is made absolute, however petitioner shall keep on joining the investigation as and when

required to do so by the Investigating Officer and shall abide the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

08.01.2020

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( Raj Mohan Singh )  
Judge

Whether speaking /reasoned  
Whether Reportable

Yes / No  
Yes / No