

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

CRM-M-14418-2021

DECIDED ON: 9th August, 2021

Warder Harpreet Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Shivam Joshi, Advocate for petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail in case of FIR No.152 dated 7.4.2020 under Section 7 of Prevention of Corruption Act, 1988 and Section 42, 52-A of Prisons Act, 1894, registered at Police Station Islamabad. Police Commissionerate Amritsar.

A letter was received from Assistant Superintendent Jail, Amritsar, dated 01.04.2020 informing the SHO Police Station Islamabad regarding recovery of mobile phone. The matter was inquired into by DSP Jails. Inmate Gursewak Singh disclosed that Warder Harpreet Singh (petitioner) snatched his mobile and demanded Rs.10,000/- for not reporting the matter. His brother Surjit Singh made payment of Rs.8000/- to the petitioner, after borrowing Rs.5000/- from his brother-in-law and Rs.3000/- from his house. Petitioner further sold the phone to other inmate Sarif Mohammad for Rs.10,000/-. During inquiry, the brother of the inmate appeared and supported the allegations/version.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner has been implicated as he had recovered mobile phone from the inmate.

Learned State counsel opposes the prayer for grant of anticipatory bail. She submits that the inquiry was held by DSP, it was found that initially the mobile was recovered from Gursewak Singh. He further submits that the petitioner has been dismissed from service and is absconding for last more than one year.

The petitioner is a police official. The allegations are serious. Considering the gravity of offence and the fact that apart from statement of inmate, there is an independent witness, no ground is made out for grant of anticipatory bail.

Dismissed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9th August, 2021

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes*