

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

CRM-M-16121-2021

DECIDED ON: 2nd JULY, 2021

RUPINDERPAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. A.P.S.Deol, Senior Advocate with
Mr. H.S.Deol, Advocate
for the 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 petition is filed for grant of anticipatory bail in FIR No. 125, dated 17.03.2021 under Sections 420 IPC and Section 7 of Prevention of Corruption Act, 1988 registered at Police Station Barnala District Barnala.

The brief facts of the case are that the complaint was received from Mahant Rameshwar Dass against Rupinderpal Singh former SHO City Barnala (petitioner). A report was sent by the Sub Divisional Magistrate, Barnala to Deputy Commissioner, Barnala wherein it was mentioned that the parties were summoned in the office and their statements were recorded. As per the complaint, the complainant purchased the mobile phone. After purchasing the mobile, he reached police station, Barnala and there was talk for going to the party of Deputy Commissioner. The petitioner informed the complainant that it is too late and he will send the mobile to the Deputy Commissioner. The mobile phone was to be handed over to the Deputy Commissioner on his birthday. The petitioner neither handed over the phone to the Deputy Commissioner nor returned it to Mahant Kehar Dass. The cost of the mobile phone was Rs. 1,02, 000/-. Petitioner paid Rs. 50,000/- and balance of Rs. 52,000/- remained unpaid.

On 9th April, 2021, the petitioner in order to show his bonafide offered to deposit a sum of Rs. 52,000/- without prejudice to his rights in his defence. This Court granted interim relief subject to deposit and petitioner joining investigation.

Learned State counsel, on instructions from ASI Baljit Singh, submits that the petitioner joined the investigation.

After hearing both learned counsel for the parties at some length and on going through the petition, it is forthcoming that the dispute is of remaining amount of Rs. 52,000/-. The mobile phone was returned earlier. There is no recovery made to the petitioner. In such circumstances no custodial interrogation is needed, the interim bail granted on 9th April, 2021 is made absolute.

As per office report, a Demand Draft (DD) of Rs. 52,000/- in favour of the complainant-Mahant Rameshwar Dass, deposited by the petitioner is kept in the safe custody.

Let the DD be sent to the trial Court. The petitioner shall furnish a fresh DD within 15 days from today, so that it can be encashed by the trial Court. On furnishing a fresh DD, earlier DD shall be returned to the petitioner. The amount received from the DD shall be kept in the shape of FDR in a nationalised bank which shall be subject to the outcome of the trial in case of the above mentioned FIR.

Disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

2nd JULY, 2021

shabha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>