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

CRM-M-24355-2021

Date of Decision: 29.07.2021

Gurcharan Singh

Petitioner

Versus

State of Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sartej Singh Narula, Advocate for the petitioner.

Mr. H.S. Grewal, Additional Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

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

[2] This is a second petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in F.I.R. No. 20, dated 19th August, 2008 under Sections 420, 120-B IPC and Sections 13 (1)(c)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Amritsar, District Amritsar.

[3] The earlier petition filed for anticipatory bail was dismissed on 7th November, 2008. Till date, there are no visible efforts by the State to arrest the petitioner. However, having an apprehension, the present petition is filed.

[4] The State has filed reply dated 12th July, 2021. The F.I.R. was with regard to sanction and construction on the land reserved for green belt. Para-5 of the reply on merits is quoted below:-

“5. That the contents of Para No. 5 of the petition relating to service of the petitioner with the Municipal Corporation, Jalandhar and his subsequent retirement with all retirement benefits and pension are matter of record. It is submitted that the case is mainly based upon the documentary evidence so the Vigilance Bureau, Amritsar has not arrested the petitioner and sought his custodial interrogation. The officials of Vigilance Bureau, Amritsar can arrest the petitioner and seeks his custodial interrogation, if required during the period of investigation as the investigation is still under process.”

[5] From the contents of para-5, it is forthcoming that as on date, the police authorities did not intend to arrest the petitioner.

[6] The petition is disposed of at this stage with the direction that in case an occasion arises to arrest the petitioner, he would be served with a clear seven days advance notice.

[AVNEESH JHINGAN]
JUDGE

29th July, 2021
pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No