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

**CRM-M No.32549 of 2021(O&M)
Date of Decision:03.09.2021**

Talwinder Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Baljeet Kaur Mann, Sr. Advocate with
Mr. A.P.S. Mann, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl., A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.13 dated 19.03.2021 registered under Section 7-A of Prevention of Corruption Act and Sections 420, 120-B IPC at Police Station Vigilance Bureau, Range Jalandhar.

On 12.08.2021, following order was passed by the Co-ordinate Bench:-

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

[2] This petition under Section 438 Cr.P.C is filed seeking anticipatory bail in FIR No. 13, dated 19th March, 2021, under Section 7-A of Prevention of Corruption Act, 1988 and Sections 420 and 120-B IPC registered at Police Station Vigilance Bureau, Range Jalandhar.

[3] On receiving an information of large scale corrupt practices in Tehsil Banga, the Vigilance Bureau inquired into the matter and a phone was also tapped. After registration of FIR, Kamal Pal and Gurminder Singh were arrested. Their voice samples were taken after due permission from the Court. During investigation on disclosure statement of Kamal Pal father of the petitioner, the petitioner was nominated. As per the case of prosecution, Kamal Pal disclosed that petitioner was also involved in approaching the Government officials for getting the work done and the mobile phone was being used by him.

[4] Learned Senior counsel appearing for the petitioner submits that petitioner was not named in the FIR. He is not working in the Tehsil. He is being nominated after a delay of four months on the basis of disclosure statement. Petitioner is ready to give his voice samples if so required during the investigation. Submission is that Kamal Pal and Gurminder Singh have been enlarged on bail.

[5] Learned State counsel opposes the prayer for grant of pre-arrest bail. She submits that there are serious allegations against the the petitioner. As per the disclosure statement of Kamal Pal, the petitioner was actually working in the Tehsil and not Gurminder Singh.

[6] The name of the petitioner surfaced in a disclosure statement. The Vigilance Bureau already has inputs by tapping the phone. The petitioner is ready to give his voice samples if so required. It is not a case where custodial interrogation is required.

[7] Considering the facts and circumstances in totality the petitioner is granted interim bail subject to his joining investigation within two days. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

[8] Put up on 3rd September, 2021.

12th AUGUST, 2021
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(AVNEESH JHINGAN)
JUDGE”

Evidently, after lodging of the FIR, co-accused Kamal Pal and Gurminder Singh were arrested and their voice samples were also taken after due permission from the Court. Kamal Pal is the father of the petitioner and the petitioner was nominated on the basis of his disclosure statement.

Learned counsel for the petitioner submits that in compliance of the aforesaid order dated 12.08.2021, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from Inspector Chamkor Singh admits the aforesaid fact and further submits that the petitioner has joined the investigation on 30.08.2021 and his presence is no more required for further investigation in the case.

In view of statement made by learned State counsel as well as for the reasons recorded in the order dated 12.08.2021, the interim order dated 12.08.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

03.09.2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No