

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

CRM-M-13089 of 2022 (O&M)

DECIDED ON: 7th April, 2022

Amrinder Singh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. R.S. Cheema, Sr. Advocate with
Ms. Sumanjit Kaur, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 11 dated 17.12.2021, under Section 7A of Prevention of Corruption Act, 1988 (in which offences under Sections 7, 12, 13 (1)(b) read with Section 13(2) of Prevention of Corruption Act, 1988 and Section 120-B/180 IPC, registered at Police Station State Vigilance Bureau, Ambala.

The bird eye view of the case set up is that District Transport Officer (for short, 'DTO'), Ambala proceeded on leave from 24.9.2021 to 24.11.2021. The then DTO, Panchkula-Amrender Singh (petitioner) was given additional charge of the office of DTO, Ambala. On a complaint received, a trap was laid on 17.12.2021, one Gurpreet Singh, owner of Vohra Trading Company, was caught red-handed while accepting Rs.12,000/-. He along with his partner made a disclosure statement naming Karanvir, a driver on contractual basis at Ambala in RTA Department. Karanvir disclosed that the money was to be paid to Jaspal who had to pay it to DTO and Inspector. Jaspal Singh was made to join the investigation. An application was filed for declaring him approver. After filing the application, his statement under

(petitioner) and Ajay Saini. The application for approver was withdrawn on 17.1.2022 to file a fresh one. It is not disputed that till date, no application has been filed

Learned Senior Counsel appearing for the petitioner argues that the petitioner has been named in disclosure statement. No recovery was made from the petitioner. It is further argued that the petitioner was named by ASI Jaspal. An application was made for declaring him as approver which was withdrawn. In the final report filed, Jaspal Singh has not been named as accused. The contention is that the petitioner is in custody since 18.1.2022, investigation is complete, co-accused Ajay Saini and Jaspal have already been granted anticipatory bail by this Court.

Learned State counsel opposes the prayer and submits that the allegations are serious. He was specifically named by ASI Jaspal Singh . Learned State counsel submits that the petitioner has refused to sign the disclosure Statement, investigation is complete and challan stands presented.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

The name of the petitioner surfaced in disclosure statement. The evidentiary value and veracity of the statement made by Jaspal Singh and the effect of his non nomination as accused in final report would be subject matter of trial.

The petitioner is in judicial custody and his personal liberty cannot be deprived for forcing him to sign disclosure statement, co-accused

were granted anticipatory bail, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

7th April, 2022
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>