

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

205

CRM-M-22360 of 2021 (O&M)

DECIDED ON: 6th April, 2022

Inspector Baljit Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Anurag Arora, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

On 7.6.2021, the petitioner was granted interim anticipatory bail and following order was passed:

"Learned Senior counsel for the petitioner contends that the allegations contained in the FIR are founded on a secret information which do not disclose the demand or acceptance of bribe of Rs. 3,50,000/- by the petitioner. It is pointed out that this kind of vague allegations can be levelled against anyone. According to him, the petitioner has been falsely implicated in the present FIR, who has an unblemished service record.

Notice of motion for 22.09.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. "

Learned Senior counsel appearing for the petitioner submits that the petitioner has joined investigation and has fully cooperated.

Learned State counsel on the basis of contents of supplementary affidavit submits that the Breeza Car along with Heroin and bribe money have not been got recovered by the petitioner.

Learned Senior counsel further submits that as per the case set up by the prosecution, there is no registration number mentioned of the Breeza Car. The petitioner while joining the investigation has specifically denied that he owns a Breeza Car. Further that in the FIR, it was mentioned that it was suspected that Breeza Car from which the recovery was made belongs to Inspector Baljit Singh (petitioner).

The recovery of disputed articles and the vehicle for which there is no specification cannot be a ground for seeking custodial interrogation. It is trite law that custody of accused cannot be asked for to make him confess his guilt.

The interim order dated 7.6.2021 granted is made absolute.

6th April, 2022

reema

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*

Whether reportable *No*