

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

(Sr. No. 122)

CRM-M No.54198 of 2021

Date of decision : 28.02.2022

Rajiv Kumar Verma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Rakesh Chopra, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.309 dated 17.11.2021 registered under Section 7A of the Prevention of Corruption Act, 1988 [as amended by the Prevention of Corruption (Amendment) Act, 2018], at Police Station Mandi Gobindgarh, district Fatehgarh Sahib.

On 14.02.2022, this Court had passed the following order : -

“This petition is filed for grant of anticipatory bail to the petitioner in FIR No. 309, dated 17th November, 2021, under Section 7A of the Prevention of Corruption Act, 1988 [as amended by the Prevention of Corruption (Amendment) Act, 2018], registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

Brief facts are that Taranjit Singh made a complaint that he was involved in FIR No. 175, dated 14th

June, 2020. He was granted pre-arrest bail by the High Court on 24th August, 2020 and in pursuance to the order of this Court he was to join investigation. When he went to join investigation, he was locked in the official quarter by ASI Nirmal Singh. He was released on making payment of Rs.30,000/- and 10,000/- to SHO Mohinder Singh and ASI Nirmal Singh respectively. The petitioner was named in the FIR on the basis of an audio recording where the petitioner was talking about “Seva Panni” to the officers by the complainant.

Learned counsel for the petitioner submits that the petitioner is not a police official. It is a case of false implication. The petitioner has been made an escape-goat. No recovery is to be made. There is neither any demand nor receipt of illegal gratification.

Learned State counsel opposes the prayer and submits that there is an audio recording produced by the complainant and the voice sample of the petitioner would be required.

Learned counsel for the petitioner on instructions submits that the petitioner is ready to give his voice samples.

Without commenting upon the merits of the case, considering the nature of the allegations; the fact that the petitioner was nominated on the basis of an audio recording; and that he has volunteered to give his voice samples, the petitioner is granted interim bail subject to his joining investigation within ten 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. In case the petitioner does not co-operate with the Investigating Officer, the interim bail will be liable to be

vacated.

List on 28th February, 2022.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

In the light of the reasons contained in the afore quoted order as also in view of the afore statement made by learned State counsel, the interim order of this Court dated 14.02.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

28.02.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No