

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(I) CRM-M-8241-2023 (O&M)

Hardev Singh & another ...Petitioners

Versus

State of Punjab ...Respondent

(II) CRM-M-8513-2023 (O&M)

Vishal Saini ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 27.04.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: None for the petitioner/s.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Gurnaib Singh.

FIR No.	Dated	Police Station	Section/s
155	12.11.2022	Nangal, District Roopnagar	Sections 384, 385 IPC and Sections 7 & 7-A of the Prevention of Corruption Act.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the aforesaid two petitions filed on behalf of Hardev Singh, Jaswinder Singh and Vishal Saini seeking grant of anticipatory bail in the abovementioned FIR.

2. At the time of issuance of notice of motion in CRM-M-8241-2023, the following order was passed on 16.02.2023:

“The petitioners seek grant of anticipatory bail in respect of a case registered vide FIR No.155 dated 12.11.2022 at Police Station Nangal, District Roopnagar, under Sections 384, 385 IPC and Sections 7 & 7-A of the Prevention of Corruption Act.

The FIR was lodged at the instance of one Dalbir Singh, wherein it is alleged that he runs a stone crusher within the limits of village Algra, and purchases raw-material from Rakesh Kumar Chaudhary from his sanctioned mines. It is alleged that while they transport the rawmaterial from these mines to their crushers, Yashvir Chand Tikka, Advocate Vishal Saini, Hardev Singh (petitioner), Jarnail Singh @ Jola, Surinder Singh Shinda and Jaswinder Singh Giani (petitioners) along with 15-20 unidentified persons stop their vehicles loaded with raw-material and threaten them that they will not allow their vehicles to pass unless they gave some money. It is alleged that in this manner the said persons had been taking Rs.1 lac to Rs.1.5 lacs per crusher and as such, had collected about Rs.2-2.5 crores from the crusher owners over a period of time.

It is contended on behalf of the petitioners that there is no record to substantiate the allegations leveled against the petitioners in respect of any extortion. It has further been submitted that identically situated co-accused, namely, Tikka Yashvir Chand and Jarnail Singh have already been granted anticipatory bal by this court vide common order dated 08.02.2023 passed in CRM-M-54179-2022.

Notice of motion for 27.04.2023.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Similarly, in the connected case i.e. CRM-M-8513-2023, this Court vide order dated 20.02.2023 while issuing notice of motion granted interim

bail to the co-accused Vishal Saini in same terms as passed in CRM-M-8241-2023.

4. Learned State counsel upon instructions has submitted that pursuant to interim directions issued by this Court, all the petitioners have since joined investigation and are not required for any custodial interrogation.
5. Having regard to the aforestated position, wherein all the petitioners are stated to have joined investigation and are not required for any custodial interrogation, both the petitions are accepted and the interim directions issued by this Court vide orders dated 16.02.2023 in CRM-M-8241-2023 and 20.02.2023 in CRM-M-8513-2023 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. A photocopy of this order be placed on the connected file.

27.04.2023

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**