

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25573-2023
Reserved on: 12.10.2023
Pronounced on: 17.10.2023

Harbir Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Pawan Attri, Advocate for the petitioner(s).

Mr. Rajat Gautam, Addl.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
1069	26.12.2022	Shahbad, District Kurukshetra	109, 120-B, 420 IPC and section 8 of Prevention of Corruption Act, 1988

1. The petitioner apprehending arrest in the FIR captioned above, on the allegations of paying bribe of Rs.1.51 crore for appointment as Chairman in Haryana Khadi Board, has come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. The brief facts of the case are that earlier the petitioner himself filed a complaint against Chain Singh Gautam and his wife Meena Devi and one Umesh Kumar, all are residents of Pinjore and also one Roshan Sharma and Baru Ram r/o Karnal, for cheating him under the pretext that if he gave Rs.1 crore then they would get him appointment as Chairman in Haryana Khadi Board. Based on the petitioner’s complaint, one FIR No.953 was registered on 08.11.2022 under Sections 406, 420 IPC at Police Station Shahbad, District Kurukshetra. After that Chain Singh Gautam and other accused had filed a petition under Section 482 Cr.P.C. for quashing of the said FIR. While considering the said petition, a Co-ordinate Bench of this Court had observed that the act of the petitioner of giving bribe is itself an illegal offence and why an FIR should not be registered against him. Based on this, the police registered the present FIR in which now the petitioner is seeking bail.

2(a) Challenging the said portion of the order passed by this Court wherein FIR was directed to be registered against the petitioner, the petitioner had approached Hon'ble the Supreme Court of India in which Hon'ble the Supreme Court did not interfere in the matter but it is clarified that the petitioner was required to participate in the investigation diligently.

3. Vide order dated 05.09.2023 this Court had granted interim bail to the petitioner subject to compliance of conditions and after that when the matter was taken up for hearing on 20.09.2023, the petitioner's bail was extended and he voluntarily stated that he would have no objection in case any stringent conditions is imposed by this Court including declaration of assets.

4. Counsel for the petitioner submits that they have voluntarily complied with the said order and this fact is not disputed by counsel for the State.

5. Given above, the present petition is allowed and interim order dated 05.09.2023 is made absolute subject to the condition that the petitioner diligently join the investigation as and when he is called to do so. All pending applications, if any, stand disposed

(ANOOP CHITKARA)
JUDGE

17.10.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.