

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-61023-2022 (O&M)
Date of Decision:- 15.3.2023

Dr. Satnam Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Raghav Gulati, Mr. Kunwar Raja and
Mr. Yadvinder Singh, Advocates,
for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab
assisted by Inspector Inderjit Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.26, dated 01.12.2022, Police Station Vigilance Bureau, Amritsar District Amritsar, under Section 7 of Prevention of Corruption Act 1988 as amended by PC (Amendment Act) 2018.
2. At the time of issuance of interim bail the following order was passed on 04.01.2023:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 26, dated 01.12.2022, Police Station Vigilance Bureau, Amritsar District Amritsar, under Section 7 of Prevention of

Corruption Act 1988 as amended by PC (Amendment Act) 2018.

The FIR was lodged at the instance of Malkiat Singh wherein it is alleged that he as well as his father-in-law as well as some other persons of their party had sustained injury including fire-arm injuries at the hands of one ex-Sarpanch of the village namely Sawinder Singh and others and in respect of which their medico legal examination was conducted. It is alleged that later when they approached the hospital authorities for getting copies of MLRs, then the petitioner who was posted as SMO, demanded an amount of Rs.1.5 lakhs as bribe so as to incorporate the factum of pellet injuries in the MLR. The complainant alleged that pursuant to the said demand an amount of Rs.1.5 lakhs was paid to the petitioner on 10.6.2021.

Learned counsel for the petitioner submits that a false FIR has been lodged against the petitioner after a delay of almost 1 ½ years of the occurrence. It has further been submitted that while the occurrence pertaining to the injuries in question had taken place on 3.6.2021 and MLR had also been recorded on 3.6.2021 pursuant to medical examination conducted by Dr. Jaideep Singh, and that in these circumstances the allegation as levelled by the complainant that after about a week the petitioner demanded an amount of Rs.1.5 lakhs so as to incorporate pellet injuries in the MLR does not appeal to reason inasmuch as the MLR already stood recorded much before the said date and that in any case the petitioner could not have recorded anything in the MLR as it was Dr. Jasideep Singh who had medico legally examined the complainant.

Notice of motion for 15.3.2023.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal

bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 04.01.2023 are hereby made absolute subject to the condition that the petitioner 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.

15.03.2023
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No