



CRM-M No. 26784 of 2023 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No. 26784 of 2023 (O&M)
Date of Decision: 12.09.2024

Harpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.P.S.Deol, Senior Advocate with
Mr. H.S.Deol, Advocate for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in FIR No. 06 dated 06.02.2023, under Section 13(1) (b) read with Section 13(2) of the Prevention of Corruption (Amendment) Act, 2018 (for short 'P.C.Act'), (Sections 420, 465, 467, 468, 471, 120-B of Indian Penal Code, 1860 and Section 12 of P.C Act added later on) registered at Police Station Vigilance Bureau, FS-1, SAS Nagar.

2. Allegations are that petitioner in connivance with other co-accused facilitated amassing of huge disproportionate properties which were purchased with ill-gotten money in the name of petitioner by co-accused Sadhu Singh Dharamsot.

3. Reply dated 11.09.2024 by way of affidavit of Mr. Navdeep Singh, PPS, Deputy Superintendent of Police, Vigilance Bureau, Rupnagar Range, District SAS Nagar has been filed by respondent-State, which is taken on record. Copy supplied to the other side. Registry to tag the same at appropriate place.

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4. Learned Senior counsel contends that petitioner was granted interim bail on 29.05.2023 by Co-ordinate Bench of this Court and in terms thereof, he has already joined investigation on various occasions and his custodial interrogation is not required.

5. *Per contra*, learned State Counsel, on instructions from the police officer present in Court, although acknowledged the factum of joining investigation, but opposed the prayer on the premise that he is not cooperating with the Investigating Officer; nor providing the original agreement to sell dated 27.11.2018 vide which petitioner had purchased one plot No. 2023, Sector 88, SAS Nagar, Mohali ad measuring 500 square yards by paying an amount of Rs. 25 lakh.

6. Heard learned counsel for the parties and perused the paper-book.

7. On 29.05.2023, the Co-ordinate Bench of this Court, granted interim bail to the petitioner and order reads as under:-

“While granting regular bail in CRM-M No.15025 of 2023 titled Sadhu Singh Dharamsot Vs. State of Punjab on 17.05.2023, this Court has considered the alleged complicity of the petitioner on the basis of material on record. The petitioner was associated during preliminary inquiry, in which he has also produced some material before the Investigating Officer.

Notice of motion was issued on 26.05.2023 and record of CRM-M No.15025 of 2023 was also requisitioned.

Learned State counsel seeks adjournment in order to file status report in the present case.

May do so.

Till the next date of hearing, the petitioner is directed to appear before the Investigating Officer on 01.06.2023 at 11:00 AM. In the event of doing so, he shall be granted interim bail to the satisfaction of the Arresting Officer. It is made clear that grant of interim order shall not be construed to be an opinion



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on merits of the case. However, the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Adjourned to 01.08.2023.”

8. It is not in dispute that in pursuance of the above interim concession, the petitioner has already joined investigation.

So far as the objection of learned State counsel that agreement to sell is yet to be recovered from the petitioner, cannot be a ground to deny him bail for the reason that alleged agreement would not confer any title in favour of the petitioner for the aforesaid plot.

9. In view of above, interim order dated 29.05.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

10. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

11. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

12. It is made clear that in case of any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.

13. Disposed off accordingly.

Pending application(s), if any, shall also stand disposed off.

12.09.2024
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	No
Whether reportable	No