

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

(211)

**2024:PHHC: 005707
CRM-M-32794-2023
Date of Decision: 16.01.2024**

Vijay Kumar

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Saurav Bhatia, Advocate for petitioner.

Mr. Arun Luthra, D.A.G., Punjab.

MANJARI NEHRU KAUL.J (Oral)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.22 dated 02.06.2023 under Sections 409, 420, 465, 467, 468, 471 IPC registered at Police Station Vigilance Bureau, Phase-1, Punjab at Mohali, District SAS Nagar.
2. On the last date of hearing, i.e. 24.11.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Inter alia contends that arising out of the business rivalry between the complainant and the petitioner, a concocted complaint to settle the personal scores on account of having failed to succeed in the tender bid as per terms and conditions of the tender documents contained at Annexure P-3, was filed before the Vigilance Bureau, alleging that petitioner has been awarded tender in violation of the terms and conditions contained in the bid documents. Further contends that Vigilance department without making any preliminary inquiry or consulting the parent department which has awarded tender to the petitioner, has registered an FIR and contemplating to take the petitioner in custody.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 18.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In the circumstances, the petition is allowed and the interim order dated 18.07.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

16.01.2024

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No