



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-5

CRM-M-33401-2024

Date of decision: 25.11.2024

Dilraj Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sukhraj Singh, Advocate, for the petitioner.

Mr. Anurag Chopra, Additional Advocate General, Punjab
assisted by Jatinder Singh, DSP, VB Unit, Kapurthala.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.09 dated 22.05.2024 under Sections 420, 406, 409, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860 and Sections 13(1)(A) read with 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau Jalandhar, Punjab.

2. Vide order dated 10.09.2024, the petitioner had been granted interim anticipatory bail and asked to join the investigation.

3. Learned counsel for the petitioner submits that in compliance of order dated 10.09.2024, the petitioner has joined investigation and cooperated with the investigating agency and his custodial interrogation would not be required. It has been further submitted that the petitioner is a Junior Engineer holding the lowest rank in the hierarchy involved in the construction of a freedom

Memorial had no role in the allotment of work to contractors. It is still further urged that the petitioner was not responsible for estimate or Bill of Quantities (BOQs), nor was he involved in drafting or allotting tenders. During the inquiry, as and when the petitioner was summoned by the Investigation Agency, he had fully cooperated. Furthermore, no recovery is to be effected from the petitioner as the case of the prosecution is based on documentary evidence which is already in the possession of 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. However, learned State counsel submits that since a Special Investigation Team (SIT) has been constituted, the petitioners be directed to join the investigation in case summoned by the SIT.

5. In view of the above, the present petition is allowed and interim order dated 10.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS. In case, petitioner is called for joining the investigation by the Special Investigation Team, he will join the investigation and co-operate with the Special Investigation Team.

25.11.2024
anil

(MANJARI NEHRU KAUL)
JUDGE

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