



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-6

CRM-M-36650-2024

Date of decision: 25.11.2024

Baldev Raj

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Navjot 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 482 of the BNSS, 2023 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 31.07.2024, the petitioner had been granted interim anticipatory bail and asked to join the investigation on 06.08.2024 in the concerned police station.

3. Learned counsel for the petitioner submits that the petitioner only acted as a SDO, PWD (B&R) when substantial construction had already taken place and petitioner was appointed only to supervise the remaining construction of the project, he had no role to play in the allotment of the tender. Learned counsel for the petitioner

submits that he has duly cooperated with the Investigating Agency and has joined the investigation in compliance of order dated 31.07.2024; nothing is to be recovered from him, thus his custodial interrogation would not be required.

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 31.07.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS. In case and whenever, 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