

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

334

CRM-M-26326 of 2019 (O&M)

Date of Decision:14.01.2025

Rajan Kapur

....Petitioner

Versus

State of Punjab

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. A.P.S. Deol, Sr. Advocate, with Mr. H. S. Deol, Advocate
for the petitioner.
Mr. Amit Rana, Sr. DAG, Punjab
Mr. H. S. Oberoi, Advocate,
for the complainant.

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.3 dated 01.05.2019 under Sections 377, 388, 389, 109, 115, 116, 120-B of the Indian Penal Code, 1860 and under Sections 7, 12 and 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station States Special Operation Cell, SAS Nagar.

2. On 06.06.2019, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“ Learned counsel for the petitioner inter alia contends that petitioner-Rajan Kapur, happens to be the Superintendent of Jail at Central Jail, Patiala, where high risk criminals/gangsters have been lodged and on account of strict

vigil and action, against the errants, on the basis of the letter of the Assistant Director General of Police (Jails), Punjab by placing reliance on the letters vide Annexures P-3 to P-6 claims that the petitioner has been provided extra security as there is every likelihood of threat perception to his life as well as of his family members and that as a revenge, the gangsters have colluded and got a false case registered against the petitioner and nothing is to be recovered from him.”

3. Learned counsel for the petitioner submits that in compliance of order dated 06.06.2019, 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 view of the above, the petition is allowed and interim order dated 06.06.2019, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS.

(MANJARI NEHRU KAUL)
JUDGE

January 14, 2025
dinesh

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