

CRM-M-37915-2023

BALJINDER SINGH V/S STATE OF HARYANA

Present:- Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner.

The petitioner is seeking anticipatory bail in FIR No.13 dated 05.05.2023, registered under Sections 186, 332, 353, 384 IPC and Sections 7, 7A, 13(1)(B) and 13(2) of the Prevention of Corruption Act, 1988, at Police Station Anti Corruption Bureau, Hisar.

Learned counsel for the petitioner submits that there is no allegation against the petitioner that he had raised a demand for bribe even in the statement of the complainant recorded under Section 164 Cr.P.C. He has referred to the copy of the statement of the complainant at Annexure P-2. The allegations are primarily against two co-accused, who have been demanding and accepting money. He also submits that the transcript of the conversation between the petitioner, other accused and the complainant indicates that the petitioner was refusing to become a party to the illegal demands which may have been raised by the co-accused. He further submits that the allegations that the petitioner had run away from the spot are incorrect as the petitioner was not present at the spot which is indicated by his CDRs.

Issue notice to the respondent.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana, accepts notice on behalf of the respondent and upon instructions from Inspector Jai Singh, submits that the petitioner had run away from the spot. He prays for time to file reply.

May do so by the adjourned date with an advance copy to learned counsel for the petitioner.

List on 12.09.2023.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer and join investigation. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on *ad interim* bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

(ANUPINDER SINGH GREWAL)
JUDGE

August 10, 2023

sonia gugnani