

Ramesh Kumar vs. State of Punjab

Present: Sh.H.S.Khara, Adv.counsel for applicant/ accused (through VC).
Sh.M.S.Sidhu, Addl.PP for the State assisted by Sh.Sandeep
Singh Jeeda, Advocate (through VC).

1. HC Rupinderpal Singh has come present and suffered a statement that both the accused have though joined the investigation, but their custodial interrogation is required for the recovery of the amount received by them from SDM Office Bathinda qua acquisition of land and further for the recovery of documents and their account number.

2. Ld.counsel for the applicants has alleged that if at all any recovery is to be effected from the applicants, it is to be got effected by concerned SDM Office, Bathinda, who had issued the cheques in the names of the applicant on acquisition of land.

3. Perusal of file reveals that accused/ applicants had moved bail application u/s 438 Cr.P.C.in FIR No.97 dated 1.10.2020 u/s 420 IPC, PS Thermal, Bathinda. They were admitted on interim bail vide order dated 15.10.2020 passed by this court subject to joining the investigation. As per the testimony of HC Rupinderpal Singh, accused have though joined the investigation, but recovery of the amount received by them from SDM Office Bathinda on acquisition of land is to be effected apart from the recovery of documents and their account number.

4. So far as the amount paid to the applicants on acquisition of land is concerned, same can be recovered by SDM Office, Bathinda only after the passing of the award in favour of applicants is set aside. The present

official has failed to disclose the documents sought to be recovered from the applicants. Even otherwise, the documents pursuant to which the payment was made to the applicants can be collected from the SDM Office, Bathinda being part of official record. Applicants cannot be directed to disclose their bank account numbers, same being their personal accounts. Hence the bail order dated 15.10.2020 passed by the court granting interim bail to applicant/ accused is made absolute. File be consigned to the record room.

Pronounced:
Dt.19.10.2020.

Kulwinder Singh,
Stenographer(Gr.II).

(Sanjeeta),
Addl. Sessions Judge,
Bathinda (UID:PB-0177).