



CRM-M-35804-2026

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103

CRM-M-35804-2026

Bhisham

....Petitioner

V/s

State of Haryana

....Respondent

Date of decision: 23.07.2026

Date of Uploading : 23.07.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Parminder Singh- I, Advocate for the petitioner.
Ms. Mahima Yashpal Singla, Senior DAG Haryana.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest bail under Section 482 of BNSS, 2023 in FIR No.10 dated 03.06.2026 registered for offences punishable under Sections 7, 7-A of Prevention of Corruption Act, 1988 and Sections 61(2), 308(2) of BNS at Police Station ACB Ambala, District State Vigilance & Anti Corruption Bureau, Haryana.

2. As per the prosecution case, the FIR in question was lodged on the basis of a complaint made by Raman. It has been alleged therein that after the death of his father, who had obtained a vehicle loan from HDFC Bank, the complainant approached bank employee namely Mukesh Rani for settlement of the loan account and issuance of a 'No Objection Certificate'. However, the said Mukesh Rani allegedly demanded an illegal gratification of ₹80,000/- for processing the settlement, which was later reduced to ₹60,000/-. It has been further alleged that the Mukesh Rani provided the



CRM-M-35804-2026

2

mobile number and name of the present petitioner Bhisham and directed the complainant to make payment to him. Unwilling to pay the bribe, the complainant had approached the Vigilance Bureau. A trap was organized and tainted currency notes amounting to ₹60,000/- were handed over to the complainant. During the trap proceedings, Mukesh Rani was allegedly caught red-handed while accepting the tainted amount. The marked currency notes were recovered from her possession. During the course of investigation, Mukesh Rani allegedly disclosed that she had demanded and accepted the amount at the instance of the present petitioner. Consequently, the petitioner came to be nominated in the present case.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated into the FIR in question as he has no connection with the alleged demand or acceptance of illegal gratification. Learned counsel has further iterated that the petitioner has never been employed with HDFC Bank and, therefore, has no role in processing or settling the loan account of the deceased father of the complainant. According to learned counsel, the petitioner has worked as an Assistant Sales Manager with HDFC Life Insurance Company and has resigned from the service in September, 2024, much prior to the alleged occurrence. It has been further contended that there is no allegation in the FIR that the petitioner ever demanded any money from the complainant. The entire set of allegation(s) regarding demand of illegal gratification is attributed to co-accused Mukesh Rani, who was dealing with the loan account of the complainant and allegedly demanded the amount for issuance of a 'No Objection Certificate'. Furthermore, the petitioner neither met the complainant nor had any conversation with him regarding payment of



CRM-M-35804-2026

3

money and the mere fact that Mukesh Rani allegedly shared the name and mobile number of the petitioner with the complainant does not establish his involvement in the alleged offence. Learned counsel has emphasized that the recovery of the tainted currency notes has been effected from co-accused Mukesh Rani and the petitioner was not present at the spot when the trap proceedings were conducted. It has been contended that the nomination of the petitioner in the present case is solely based upon the disclosure statement of the co-accused, which by itself, is a weak piece of evidence. Moreover, the ingredients of Sections 7 and 7-A of the Prevention of Corruption Act are not attracted against the petitioner as he is not a public servant nor an employee of the concerned bank. Learned counsel has further submitted that the petitioner is a law-abiding citizen, has deep roots in society and is not at flight risk and, therefore, his custodial interrogation is not required. According to learned counsel; the petitioner has clean antecedents and is willing to join the investigation as and when required; shall not tamper with evidence or influence any witness and shall abide by all the condition(s) imposed by the Court in case he is enlarged on pre-arrest bail. On strength of these submissions, the grant of concession of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has filed reply by way of an affidavit of Pardeep Yadav, DSP, State Vigilance and Anti Corruption Bureau, Ambala Range, Ambala in Court today, which is taken on record. Referring to said reply, learned State counsel has iterated that the allegations against the petitioner are grave and serious in nature as they pertain to demand and acceptance of illegal gratification in connection with settlement



CRM-M-35804-2026

4

“C. Contention and specific role of the petitioner:

7. *That on 03.06.2026 when co-accused Mukesh Rani was caught red handed and the tainted currency notes were recovered from her possession, the investigating officer interrogated and arrested her. Thereafter, she suffered her disclosure statement to the effect that she had demanded the money at the instance of Bhisham for the purpose of settlement of the loan. It is further submitted that during investigation, the complainant handed over recording of conversation done between him and accused Mukesh Rani and petitioner. Thereafter, the transcript of recorded conversation was prepared by ASI Sunil Kumar in the presence of complainant and investigating officer. The perusal of transcript reveals that in addition to complainant and co-accused Mukesh Rani, one third person also demanded illegal gratification from the complainant. It is further submitted that as per complainant's on asking of statement this third person is petitioner Bhisham. Moreover, the contents of complaint reveals that on 30.05.2026, complainant, co-accused Mukesh Rani provided the mobile number of one Bhisham and asked the complainant to hand over 80,000/- to him; however, the matter was settled for ₹60,000/-. It is, therefore, submitted that for qualitative investigation of the case to unearth the larger conspiracy in this matter and to obtain the voice sample of accused- petitioner, a sustained and continues custodial questioning/ interrogation of the accused-petitioner is required by the investigating agency. Hence, the present petition is liable to be dismissed. For the kind perusal of this Hon'ble High Court, the true translate copy of transcript and disclosure statement of co-accused Mukesh Rani are annexed as annexures R-2 & R-3 respectively.*

8. *That the material which has already been collected during the investigation clearly points towards involvement of accused -petitioner in the alleged offence. The accused-petitioner is required for custodial interrogation in order to unearth the complete facts of the case. Therefore, the accused-petitioner is not entitled to the concession of anticipatory bail.”*

Raising submissions in tandem with the aforesaid reply, learned State counsel has sought for dismissal of the petition in hand.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.



6. It would be apposite to refer herein to a judgment of the Hon'ble Supreme Court titled as ***Devinder Kumar Bansal vs. The State of Punjab, 2025 INSC 320***, relevant whereof reads as under:

“21. The parameters for grant of anticipatory bail in a serious offence like corruption are required to be satisfied. Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has been falsely enroped in the crime or the allegations are politically motivated or are frivolous. So far as the case at hand is concerned, it cannot be said that any exceptional circumstances have been made out by the petitioner accused for grant of anticipatory bail and there is no frivolity in the prosecution.

*22. In the aforesaid context, we may refer to a pronouncement in **Central Bureau of Investigation v. V. Vijay Sai Reddy reported in (2013) 7 Scale 15**, wherein this Court expressed thus:*

“28. While granting bail, the court has to keep in mind the nature of accusation, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations. It has also to be kept in mind that for the purpose of granting bail, the Legislature has used the words "reasonable grounds for believing" instead of "the evidence" which means the Court dealing with the grant of bail can only satisfy it as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge. It is not expected, at this stage, to have the evidence establishing the guilt of the accused beyond reasonable doubt.”

23. The presumption of innocence, by itself, cannot be the sole consideration for grant of anticipatory bail. The presumption of innocence is one of the considerations, which the court should keep in mind while considering the plea for anticipatory bail. The salutary rule is to balance the cause of the accused and the cause of public justice. Over solicitous homage to the accused's liberty can, sometimes, defeat the cause of public justice.



24. *If liberty is to be denied to an accused to ensure corruption free society, then the courts should not hesitate in denying such liberty. Where overwhelming considerations in the nature aforesaid require denial of anticipatory bail, it has to be denied. It is altogether a different thing to say that once the investigation is over and charge-sheet is filed, the court may consider to grant regular bail to a public servant - accused of indulging in corruption.*

25. *Avarice is a common frailty of mankind and Robert Walpole's famous pronouncement that all men have their price, notwithstanding the unsavoury cynicism that it suggests, is not very far from truth. As far back as more than two centuries ago, it was Burke who cautioned: "Among a people generally corrupt, liberty cannot last long". In more recent years, Romain Rolland lamented that France fell because there was corruption without indignation. Corruption has, in it, very dangerous potentialities. Corruption, a word of wide connotation has, in respect of almost all the spheres of our day to day life, all the world over, the limited meaning of allowing decisions and actions to be influenced not by the rights or wrongs of a case but by the prospects of monetary gains or other selfish considerations.*

26. *If even a fraction of what was the vox pupuli about the magnitude of corruption to be true, then it would not be far removed from the truth, that it is the rampant corruption indulged in with impunity by highly placed persons that has led to economic unrest in this country. If one is asked to name one sole factor that effectively arrested the progress of our society to prosperity, undeniably it is corruption. If the society in a developing country faces a menace greater than even the one from the hired assassins to its law and order, then that is from the corrupt elements at the higher echelons of the Government and of the political parties."*

7. As per the material available on record, indubitably, serious allegations have been levelled against the petitioner. As per the prosecution case, the petitioner is alleged to be one of the person(s) involved in a conspiracy to obtain illegal gratification from the complainant for facilitating settlement of a vehicle loan account and issuance of a 'No Objection Certificate'. The allegation is that when the complainant objected to the demand of ₹80,000/- raised by co-accused Mukesh Rani, she reduced



CRM-M-35804-2026

7

the amount to ₹60,000/- and thereafter provided the complainant with the name and mobile number of the present petitioner and asked the complainant to hand-over the money to the present petitioner. The prosecution has further alleged that the petitioner was actively associated with the demand of illegal gratification. During the trap proceedings, co-accused Mukesh Rani was allegedly apprehended while accepting the tainted currency notes from the complainant. Thereafter, she suffered a disclosure statement stating that the amount has been demanded and accepted at the instance of the petitioner for securing settlement of the loan account. The investigating agency has also relied upon the transcription of recorded conversations obtained during the course of investigation. According to the prosecution, the said conversations *prima facie* reveal the involvement of the petitioner in the demand of illegal gratification and reflect that he was the person at whose behest the illegal gratification was demanded. Although no recovery has been effected from the petitioner but the prosecution has relied the version of the complainant, the disclosure statement of the co-accused & the recorded conversations collected during investigation which connect him to the commission of offence in question. At this stage, the material collected during investigation cannot be brushed aside as vague or baseless. The contention that the petitioner is innocent and there is no direct demand or acceptance of illegal gratification is a matter of trial and requires appreciation of evidence and not to be considered at the stage of considering anticipatory bail. At this stage, the Court is only required to see whether the allegations, if taken at face value, disclose the commission of a cognizable offence and whether custodial interrogation is necessary for effective investigation. The stand of the



CRM-M-35804-2026

8

investigating agency before this Court is that the custodial interrogation of the petitioner is necessary to unearth the complete facts of the case.

8. No cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. Furthermore, the Court below has already declined the plea of the petitioner after considering the relevant factors, including the manner in which the name of the petitioner surfaced during investigation. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to



a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”

9. It is well settled that anticipatory bail is an extraordinary remedy and is not mean to be granted as a matter of course. In the present case, the investigation is still at a crucial stage and the grant of anticipatory bail at this juncture will impede the fair and effective investigation. Considering the nature and seriousness of the allegations, the specific role assigned, the stage of investigation as also the necessity of custodial interrogation for verification of facts, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

10. In view of the prevenient ratiocination, it is ordained thus:
- (i) The instant petition is devoid of merits and is hereby dismissed.
 - (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
 - (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

July 23, 2026
Ajay

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