

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6896 of 2016 (O&M)

Date of Decision: 11.04.2016

R.C. Meena

--Petitioner

Versus

Central Bureau of Investigation,
Chandigarh

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Bedi, Sr. Advocate with
Ms. Diya Sodhi, Advocate for the petitioner.

Mr. Sumeet Goel, Advocate for C.B.I.

TEJINDER SINGH DHINDSA.J

CRM No.11120 of 2016

In view of the averments made in the application, prayer is allowed. Date in the main petition is pre-poned from 10.5.2016 and the same is taken up on board today itself.

Application is disposed of.

Main Case

Petitioner seeks benefit of regular bail pending trial in case F.I.R No.RCCHG2015A0016 dated 13.08.2015, under Sections 120-B, IPC read with Sections 7, 8, and 13(2) read with Section 13(1) (d) of PC Act 1988, registered by CBI, Chandigarh.

Brief facts that would require notice are that the present case was registered in CBI, ACB Chandigarh on 13.08.2015 on the basis of a complaint dated 12.08.2015 made by Smt. Guneet Kaur and a verification report dated 13.08.2015 of Sh. Mohinder Ram, Sub Inspector, CBI ACB, Chandigarh. Complainant has alleged that Smt. Deepa Duggal had got FIR No.375 dated 26.12.2014 under Sections 120-B, 420, 511, 468 and 471 IPC

registered against the parents of the complainant, namely, Shri Gurkirpal Singh Chawla, Smt. Jagjit Kaur Chawla as also brother Harmit Singh Chawla in the Economic Offences Wing, UT Police, Sector 17, Chandigarh. The case was in the process of investigation and Sh. Surinder Kumar, Sub Inspector was the Investigating Officer of the case under the supervision of Sh. Ram Chander Meena, Deputy Superintendent of Police, EOW Branch, UT Police (present petitioner). Sh. Aman Grover is the son-in-law of Smt. Deepa Duggal and Sh. Sanjay Dahuja is his friend. Complainant stated that the police was trying to arrest her parents and brother and on account of fear of arrest they were hiding themselves. Allegations are that on 11.08.2015, Aman Grover son-in-law of Smt. Deepa Duggal had contacted the complainant and informed her that Sanjay Dahuja was in contact with Ram Chander Meena, DSP and Surinder Kumar and further told the complainant that aforementioned two police officials were demanding bribe of a sum of Rs.75 lacs through Sanjay Dahuja for not arresting her parents and brother as also to effect a compromise in the matter. Apparently, in the exercise of a verification conducted by Sh. Mohinder Ram, Sub Inspector, CBI, ACB Chandigarh it came to be revealed that on the request of complainant Guneet Kaur, accused persons, namely, Sanjay Dahuja and Aman Grover agreed to accept bribe of Rs.70 lacs i.e. Rs.40 lacs in cash to be paid to the police officials of EOW, UT Police, Chandigarh and a post- dated cheque of Rs.30 lacs for Aman Grover himself. After registration of the case on 13.08.2015 a trap was laid by the CBI, Chandigarh in which Sanjay Dahuja was caught while demanding and accepting the bribe of Rs.40 lacs in cash and Aman Grover while demanding and accepting a post- dated cheque of Rs.30 lacs in the name of his mother-in-law Smt. Deepa Duggal from the

complainant in the presence of independent witnesses, namely, Mandeep Kang and Manish Kumar. The bribe money of Rs.40 lacs is stated to have been recovered from Sanjay Dahuja and the post-dated cheque of Rs.30 lacs from Aman Grover. Sanjay Dahuja, at that point of time was to make a phone call to Ram Chander Meena, DSP (present petitioner) for further delivery of bribe amount to him. Accordingly, a digital voice recorder was got ready for recording the conversation between Sanjay Dahuja and the present petitioner. However, in the meanwhile, a phone call is stated to have been received from the petitioner on the mobile of Sanjay Dahuja and such call was recorded in the digital voice recorder. Such conversation is stated to clearly establish that Sanjay Dahuja had demanded and accepted the bribe amounting to Rs.40 lacs on behalf of the petitioner and who in turn had directed Sanjay Dahuja to keep the money with him as he would be coming after some time. On such broad allegations, Sanjay Dahuja, Aman Grover, present petitioner and Surinder Kumar, Sub Inspector were arrested on 13.08.2015.

During the course of arguments today, it has gone uncontroverted that co-accused Surender Kumar and against whom there were similar allegations, has been granted benefit of regular bail by this Court in the light of order dated 15.2.2016 passed in CRM No. M-40528 of 2015. Even Aman Grover has been granted benefit of bail by this Court. Sanjay Dahuja has been admitted to bail in the light of order dated 29.1.2016 passed by the Hon'ble Supreme Court in S.L.P (Crl.) No.10042 of 2015.

Without making any observations on merits and on the ground of parity itself, present petitioner is held entitled to the benefit of bail during

the pendency of trial on his furnishing bail/surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned. The benefit of this order would enure to the petitioner subject to the conditions imposed by the Hon'ble Supreme Court in the case of co-accused Sanjay Dahuja.

At this stage, learned senior counsel appearing for the petitioner has brought to the notice of this Court an order dated 31.8.2015 passed by the Govt. of India, Ministry of Home Affairs, whereby the petitioner has been placed under suspension and his headquarters have been fixed at Chandigarh.

Needless to mention that since benefit of bail is being granted to the petitioner as per conditions imposed by the Hon'ble Supreme Court, the Ministry of Home Affairs/competent authority would make the necessary modification as regards headquarters of the petitioner while under suspension.

Petition is disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.04.2016
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