

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.15777 of 2020

Date of decision: 9th July, 2020

Satpal Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. Tanu Bedi, Advocate for the petitioner.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent/State.

Mr. Vivek Khatri, Advocate for the complainant.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video conferencing on account of outbreak of pandemic COVID-19.

Allegations in this first anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.151 dated 26.11.2019 under Section 384 IPC and Section 7 of the Prevention of Corruption Act, 1988 pertaining to Police Station Mohana, District Sonapat are that petitioner Satpal Singh, who happens to be Head Constable in Haryana Police, in league with his co-accused Sandeep Kumar then SHO and Baljeet Kumar Constable, had in an occurrence that took place on 18.08.2019, falsely representing that they would not arrest the children of the complainant, demanded and accepted ₹2.00 lacs and ₹1.50 lacs, totaling to ₹3.50 lacs

on different occasions and when their demand did not stop the present case was got registered.

Learned counsel for the petitioner Ms. Tanu Bedi, Advocate has inter alia argued that the petitioner happens to be a Head Constable and a perusal of the allegations does not bear out any allegation of demand or retaining the money which has been admittedly taken by his seniors. In view of the offence for which the petitioner is being prosecuted and in the light of present COVID-19 pandemic situation together with the fact that nothing is to be recovered at this juncture from the petitioner, he deserves to be allowed bail.

Learned State counsel Mr. Baljinder Singh Virk, Dy. Advocate General, Haryana assisted by Mr. Vivek Khatri, Advocate representing the complainant though has not displaced the facts but has strongly opposed the bail on the grounds that the petitioner being posted as Head Constable in the Police Station in connivance and conspiracy with his seniors has accepted initially an amount of ₹2.00 lacs of which categorical allegations have come about and therefore in view of the allegations, his custodial interrogation is essential.

Appreciating what has been submitted before this Court by the two sides, there is direct allegation leveled by the complainant against the petitioner of having accepted ₹2.00 lacs as bribe. Furthermore, there is a clear-cut allegation of connivance of all the other accused who are superior officials of the petitioner. For comprehensive investigation,

custodial interrogation of the petitioner is very much essential. Co-accused are yet to be arrested and that the call-details in the light of status report filed by the State show innumerable calls between the petitioner and the complainant side, are suggestive and give impetus to these allegations. More so, as has been brought to the notice of this Court, investigations are at crucial stage. In view thereof, no cause for grant of anticipatory bail is made out. The petition stands dismissed accordingly.

(FATEH DEEP SINGH)
JUDGE

July 9, 2020
rps

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