

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM No. M-29565-2020

Date of Decision : 29.09.2020

MANMOHAN SINGH

....Petitioner

Versus

UNION TERRITORY OF CHANDIGARH

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jaspreet Rai, Advocate and
Mr. Ajay Kalra, Advocate for the petitioner.

Mr. A.M. Punchhi, Public Prosecutor with
Mr. Anupam Bansal, Advocate
for the respondent-UT, Chandigarh.

Harsimran Singh Sethi, J. (Oral)

Custody certificate of the petitioner has been filed in Court today.

The same is taken on record.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 05 dated 26.08.2020, under Sections 8 and 12 of The Prevention of Corruption Act, 1988 read with Section 120-B IPC, registered at Police Station Vigilance Sector-9, Chandigarh.

Learned counsel for the petitioner argues that the petitioner has wrongly been implicated in the present case and the allegations, which have been alleged against the petitioner under the Prevention of Corruption Act, 1988, are false. Learned counsel for the petitioner submits that the petitioner is the sole bread earner in the family and he has clean antecedents and as no further recovery is to be effected from the petitioner as petitioner is already

behind the bars since 26.08.2020, no useful purpose would be served by keeping the petitioner behind the bars, hence, he be granted the benefit of regular bail .

Learned counsel for the respondent-UT, Chandigarh submits that the investigation is yet to be completed and there are documents, which are to be recovered and also accomplice of the petitioner in the company, on who's behalf petitioner was offering bribe, is yet to be ascertained and arrested so as to take the investigation to its logical end. Learned counsel submits that once the investigation is under way, the grant of benefit of regular bail will hamper the investigation as the petitioner himself has stated that he had approached the complainant on behalf of the Firm.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The allegations against the petitioner are serious in nature. As per the allegations, petitioner tried to bribe the complainant despite resistance as the petitioner was asked to leave the office more than once by the complainant and was warned not to indulge in those kind of activities. It is not disputed that the petitioner was arrested from the spot and bribe money was recovered from the spot. As Section 120-B IPC has also been mentioned in the FIR and as per the respondents, the investigation is also being done to find out who else is involved in the offer of bribe to the complainant from the company i.e. on whose behalf the petitioner had approached the complainant to offer bribe and those facts are yet to be unearthed.

Once, it is an admitted fact that the petitioner was a representative of the firm and the investigation, to unearth the truth so as to find out who else, apart from the petitioner, was involved in the said act, is in progress, this is not the stage where the prayer of the petitioner for the grant of bail can be

accepted.

Not only certain documents are to be recovered, but even the identity of the personnel of the firm, being represented by the petitioner, who are involved in the offer of bribe, is yet to be established. If the petitioner is granted the bail, at this stage, not only the investigation will get hampered but also his interference in the investigation, cannot be ruled out.

Keeping in view the above, as the investigation is still in progress and the challan is yet to be presented, no ground is made out for accepting the prayer of the petitioner for the grant of bail, at this stage.

Dismissed.

September 29, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>