

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1164-2021 (O&M)
Date of Decision:- 26.2.2021

Iqbal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.K.Choudhary, Advocate, for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab,
assisted by SI Surinder Pal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.17, dated 5.11.2020, Police Station Vigilance Bureau Range, Ferozepur, under Section 7 of Prevention of Corruption Act, Sections 379-B, 120-B IPC (Sections 342, 384, 419, 506 IPC added later on).
2. The FIR in question was lodged at the instance of Gagandeep Singh wherein it has been submitted that he is a driver of mini bus. On 03.11.2020, at about 5:30 pm, when he along with his friend Mantej

Singh @ Raman reached at Moga Bus Stand from Ludhiana, three persons in civil dress who were calling each other by the names of C. Sarabjit Singh, C. Iqbal Singh and Jaspreet Singh Ghallan Wala, met them and asked if Bullet motorcycle bearing No.7161 belongs to him.. They took them to a room situated in a street behind the bus stand and gave beating to them and took ₹28,500/-, two wallets of brown colour containing their Adhar Cards, PAN Cards, Driving Licences, ID Cards of bus and his cheque book issued by HDFC bank bearing account No. 5010056803682 consisting of 8 cheques. They also recovered one syringe from the pocket of his friend Mantej Singh and stated that you sell drugs and stated that they are posted in CIA Staff and they would take them to CIA Staff for registration of the FIR. The complainant and his friend under fear requested them not to do so and stated that they were not in the habit of selling the drugs and were innocent. On this, C. Sarabjit Singh demanded an amount of ₹1 lakh as illegal gratification if they wanted to save themselves from the FIR. On their repeated requests, the bargain was struck at ₹50,000/-. The complainant requested them to grant some time to arrange the money. C. Sarabjit Singh kept the articles recovered from them along with the Bullet motorcycle and asked them to take the said articles along with the motorcycle on payment of amount of illegal gratification. C. Iqbal Singh took away his bullet motorcycle bearing registration No. PB-69-C-7161 and told him to call telephonically on arrangement of money. After arrangement of ₹15,000/-, at about 10:40 am, on 05.11.2020, he called C.Sarabjit

Singh from his mobile No. 9915331800 on mobile No.9501618023 and disclosed them that he could arrange only for ₹15,000/- and requested them to take the said amount and to resolve the matter and upon which he called complainant along with the money at bus stand Moga. It is further alleged that the complainant did not want to pay the said amount of illegal gratification and therefore, he took the amount along with Gurpreet Singh to the office of Vigilance Bureau and produced the amount of illegal gratification along with the recording with regard to demand of illegal gratification by C. Sarabjit Singh, C. Iqbal Singh and Jaspreet Singh Ghalkalan Wale. After following the due procedure to be adopted in a trap case, a trap was laid by keeping Dr. Satwinder Singh, Agriculture Development Officer Block, Moga-2 as shadow witness and when they reached the spot, C.Sarabjit Singh and Jaspreet Singh took the complainant on their scooty to a room in a hotel and gave him head injury, snatched the amount of ₹15,000/- along with his mobile phone and also threatened to keep the motorcycle and its RC on mortgage and told him to pay them the remaining amount of illegal gratification out of ₹50,000/- otherwise they would lodge false FIR against him and his friend Mantej Singh on the basis of the blank papers signed by them.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and that in any case since challan already stands presented, the petitioner deserves the concession of bail.

4. Opposing the petition, learned State counsel has submitted that since the petitioner belongs to a disciplinary force and has indulged into offence of demanding bribe by issuing threats, no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 3 ½ months and that he is not involved in any other case. It has also been informed that challan already stands presented.
5. Having regard to the aforestated position wherein challan has already been presented and the petitioner has been behind bars since the last about 3 ½ months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

February 26, 2021

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No