

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

**CRM-M-21450-2021
Date of decision: 03.06.2021**

HC Manjeet Singh**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. S. S. Rangi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 11 dated 16.04.2021, registered under Section 120-B IPC and Section 7 of the Prevention of Corruption Act, at Police Station Vigilance Bureau, Patiala, District Patiala.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of one Vinod Kumar, it is stated that his nephew Sandeep Kumar is an accused in FIR No. 71 of 2021, registered in Police Station Samana and SI Darbara Singh was the Investigating Officer in the said case. SI Darbara Singh obtained two days' remand of Sandeep Kumar and when the complainant went to meet him in the police station, petitioner HC Manjeet Singh asked him to meet SHO. On 15.04.2021, the complainant met Junior Munshi Makhan Singh, who arranged a meeting with SHO Karanbir Singh. It is further stated that Makhan Singh told complainant that SHO has demanded Rs. 25,000/- so that further remand of Sandeep Kumar is not taken from the Court. Later on,

in the evening, when complainant came to police station, he met petitioner, who informed him that SI Darbara Singh had gone to Sangrur Jail to drop the complainant's nephew. It is further stated that petitioner talked with SI Darbara Singh on phone and then demanded Rs. 10,000/- from the complainant and told him to meet Munshi Makhan Singh and SHO Karanbir Singh. Thereafter, the complainant met Constable/Munshi Makhan Singh and gave him Rs. 3,000/- and another amount of Rs. 7,000/- for SHO Karanbir Singh. In that process, the complainant recorded the conversation of the petitioner as well as Makhan Singh. When a complaint was made regarding this, a raiding party was formed and HC Makhan Singh, PHC Virsa Singh and SI Karanbir Singh were arrested.

Learned counsel relies upon general diary relating to movement of the petitioner (Annexures P-2 to P-4) to submit that at that particular time, the petitioner was busy with the Investigating Officer in the investigation in FIR No. 79 dated 13.04.2021, under Section 420 IPC and Section 13 of the Punjab Human Trafficking Prevention Act, 2012.

It is further submitted that at no point of time, the petitioner was attached with the investigation of FIR No.71 and, therefore, there was no occasion for the petitioner to interact with the complainant.

Learned counsel further submits that alleged recording, relied upon by the complainant, is yet to be established by obtaining a report from the FSL and except the same, there is no allegation against the petitioner.

Learned counsel further submits that as per the complainant's own version, he had handed over the amount to other accused, who had been arrested by the raiding party at the spot and, therefore, nothing is to be recovered from the petitioner.

Learned State counsel, on instructions from the Investigating Officer, submits that the complainant has submitted a recording of telephonic conversation, in which the petitioner is allegedly demanding some amount for SHO.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the fact that three of the main accused, who had raised demand of money and were in fact paid the amount, have already been arrested and the allegation against the petitioner is that he, on behalf of the SHO, has communicated with the complainant that he had to pay him Rs. 10,000/-, whereas no amount was paid to the petitioner, the present petition is allowed and the petitioner is granted concession of anticipatory bail subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

03.06.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No