

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

**CRM-M-23291-2021 (O&M)
DECIDED ON: 13th JULY, 2021**

PARAMJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Gurvir Kaur, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 439 Cr.P.C. was filed seeking regular bail in FIR No. 128, dated 24th August, 2020, under Section 7, 13 (2) of Prevention of Corruption Act, 1988, registered at Police Station Khuian Sarwar, District Fazilka.

The brief facts are that FIR was registered against the petitioner and the co-accused PHG Subhash Chander. As per the allegations on 24th August, 2020, accused were present at a police Naka, during the checking, they were taking money from the truck drivers as illegal gratification. There was a viral video clip. In the video clip, both the accused were visible, the petitioner was stopping the trucks whereas the co-accused was collecting the money. The matter was enquired by DSP, Abohar, on finding sufficient

material against the accused the case was registered.

Learned counsel for the petitioner argues that the co-accused was collecting the money and not the petitioner. There was no demand or acceptance of money by the petitioner. She further submits that the co-accused was granted interim bail by this Court vide order dated 8th April, 2021.

Learned State counsel opposes the prayer for grant of bail and submits that petitioner and his co-accused were visible in the video clip. Petitioner was stopping the trucks and his co-accused was collecting the money. It was visible to the petitioner as to what the co-accused was doing. She further submits that challan stands presented but charges are yet to be framed.

Heard learned counsel for the parties at some length.

The petitioner was nominated on the basis of the recommendation of the DSP during investigation of a viral video. The argument that co-accused was collecting the money and not the petitioner, would be the subject matter of the trial. As per the case set up the petitioner was aware of the misdeeds being done by his co-accused. He being a member of a disciplined force is not expected to close his eyes and ignore such collection of money. The reliance of the counsel for the petitioner on the order of this Court dated 8th April, 2021, is of no help, as the co-accused was granted interim bail to attend the last rites of his mother. Petitioner being associated with police department if enlarged on bail, would be in a position to influence the witnesses.

No ground is made out to grant bail.

The petition is dismissed.

It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

13th JULY, 2021
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(AVNEESH JHINGAN)
JUDGE

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