

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

**CRM-29953-2020; CRM-2912-2021 &
CRM-2915-2021 in/and CRM-M-41110-2020
Date of decision: - 08.04.2021**

ASI Darshan Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. A.K. Walia, Advocate
for the applicant-petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)
CRM-29953-2020

Application is allowed, as prayed for.

CRM-2912-2021

Present application has been filed to place on record copy of
complaint dated 12.05.2020 as Annexure P-10.

Application is allowed, as prayed for. Copy of complaint
dated 12.05.2020 (Annexure P-10) is taken on record.

CRM-2915-2021

Learned counsel for the applicant-petitioner submits that the

present application has been rendered infructuous and the same may be disposed of as such.

Ordered accordingly.

CRM-M-41110-2020

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No.52 dated 14.05.2020, under Sections 342, 384, 385 & 120-B IPC; Sections 3, 4 & 5 of the Immoral Traffic (Prevention) Act, 1956 and Sections 7 & 13 of the Prevention of Corruption Act, 1988, registered at Police Station Nihal Singh Wala, District Moga, Punjab.

Learned counsel for the petitioner argues that from the FIR it is clear that the petitioner was not at site when the incident as alleged by the complainant took place on 07.05.2020. Learned counsel for the petitioner submits that even as per the FIR, only allegation against the petitioner is that after the incident, the complainant had made certain enquiries at his own level where he came to know that one Jaswant Kaur has been running a brothel at her residence and was being helped by ASI Chamkaur Singh as well as ASI Darshan Singh i.e. the petitioner. Learned counsel for the petitioner further submits that there are no allegation of extortion levelled against the petitioner by the complainant.

Notice of motion.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel concedes that the petitioner was not at site of the incident and the only allegations are against ASI Chamkaur Singh, who had entered the room and sought bribe. Learned counsel for the respondent further concedes that the investigation is already over and the challan has already been presented.

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

It is a conceded position that the petitioner was not at the site where the demand for bribe was made from the complainant by ASI Chamkaur Singh and the allegations of extortion are against co-accused Jaswant Kaur and Seema Rani. As far as the other allegations that the petitioner in connivance with Jaswant Kaur and ASI Chamkaur Singh is running a brothel, same are yet to be proved during the trial. Once, the challan has already been presented and the trial is likely to take some time to conclude, no useful purpose will be served in keeping the petitioner behind the bars especially when learned counsel for the petitioner has undertaken that the petitioner will not influence the trial in any manner and maintain good conduct, while on bail, petitioner is entitled for the benefit of regular bail in this case.

In view of the above facts, the petitioner be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

In case of default of the above undertaking as made by learned counsel for the petitioner, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

April 08, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No