

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

CRM-M-10951 of 2022 (O&M)

DECIDED ON: 2nd May, 2022

Sunil Kumar

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Mohit Kumar, Advocate and
Ms. Nisha Rana, Advocate for petitioners.

Mr. Amit Mehta, Sr. DAG Punjab.

Mr. Ritesh Pandey, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in case of FIR No.20 dated 1.2.2022, under Sections 7, 7-A of Prevention of Corruption Act, 1988 (Amended 2018), 420, 120-B IPC, 1860, registered at Police Station City Hoshiarpur, District Hoshiarpur.

The FIR was registered by Raj Rani, alleging that Sunil Kumar @ Sonu (petitioner) and Arjun posted as driver in Sessions Court took bribe relying upon a fake copy of judgment. The amount was received for getting a favourable order in favour of son of complainant Sahil Bhatti, whereas in appeal on 23.7.2021, the judgment of the trial Court was upheld and Sahil Bhatti, he had to undergo imprisonment along with fine.

Learned counsels for the petitioners submits that it is a case of false implication. The petitioner is a tenant of complainant and was rather a victim in the hand of co-accused Arjun. Reliance placed upon a complaint dated 23.1.2022 made to SHO Mukerian against the co-accused Arjun.

Learned State counsel opposes the prayer for anticipatory bail. He submits that the petitioner was known to co-accused. As per the complaint filed by the petitioner, he had approached co-accused for procuring his appointment, this only support the allegations that co-accused was being approached by petitioner for getting work done in Sessions Court.

The allegations in the FIR are serious. The amount was accepted by the accused for getting favourable order from the Sessions Court and a fake judgment was also produced. The rent agreement relied upon only is an indictor that the petitioner and the complainant were known to each other being tenant and landlord. The complaint made against the co-accused alleges that the petitioner had paid Rs. 5,00,000/- to Arjun for procuring his appointment as a Process-server in the Sessions Court, does not enhance the case of petitioner of false implication.

A deeper probe is required into the matter to unearth the *modus-operandi* adopted, no ground is made out for grant of anticipatory bail.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Dismissed.

(AVNEESH JHINGAN)
JUDGE

2nd May, 2022
reema

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