

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-30981 of 2022 (O&M)
DECIDED ON:25th July, 2022**

Jagdish Ganga Ram Chaudhary

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Edward Masih, Advocate and
Ms. Kanika Ahuja, Advocate for petitioner.
Mr. Gurmeet Singh, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No.9 dated 24.4.2022 under Sections 7, 13(1)(B), 13(2) of Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau District Gurugram.

As per the case set up Complainant-Sandeep Puri alleged that petitioner-Jagdish Ganga Ram (Inspector in Gujarat police) demanded Rs.5,00,000/- to remove the name of his nephew Amrinder Puri from FIR No.11823017211156 dated 10.12.2021, under Sections 465, 467, 468, 469, 471, 500, 114 IPC and Section 66D of IT Act, registered at Police Station Rajpipla District Narmada, Gujarat. The deal was struck for Rs.3,00,000/-. On 12.4.2022, Rs. 1,00,000/- was paid to petitioner in Gujarat, the incident was recorded in a hidden camera. The petitioner visited Gurugram to collect the balance amount of illegal gratification, he was apprehended red handed on 24.4.2022.

Learned Senior counsel for the petitioner submits that it is a case of false implication. The charge sheet in FIR No.11823017211156 had already been filed when the demand was allegedly made. He further submits that the demand was made in Gujarat whereas the case has been registered in Haryana.

Submission is that petitioner is in custody since 24.4.2022 and investigation is

Learned State counsel opposes the prayer, submits that the voice sample of the petitioner is yet to be taken and he was caught red handed.

Learned Senior counsel for petitioner submits that petitioner volunteers to give his voice sample as and when called for.

Without commenting upon the merits of the case or the contentions raised by Senior counsel for petitioner on the merits of case, considering the custody period and the fact that conclusion of trial is likely to take time, petitioner is not posted in the State of Haryana and *prima-facie* there is no likelihood of his influencing the witnesses, bail is granted to the petitioner subject to giving voice sample and on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

It is clarified that the investigating agency will give one week notice for the date on which voice sample is to be taken and the petitioner shall ensure his presence on the date as conveyed to him.

The petition is allowed.

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

Since the main case has been decided, the pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

25th July, 2022

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