

213 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-36639-2021

Date of decision: 4th February, 2022

SI Pippal Singh and another

Petitioners

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. K.S. Khehar, Advocate for the petitioners.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed for seeking regular bail by SI Pippal Singh and ASI (Local) Rajinderpal Singh (petitioners) in FIR No. 48, dated 03.06.2021, under Sections 7/13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Cantt, Ferozepur.
3. The FIR was registered on a complaint made by Nirmal Singh. Complainant, his son Gurjant Singh and one Gurwinder Singh filed affidavits supporting the complaint. The allegation was that Rs.2,00,000/- were demanded from the complainant by the petitioners for not registering the FIR under NDPS Act against the son of the complainant. Rs.2,00,000/- was paid on 25th May, 2021 and Rs.60,000/- was paid earlier

to that.

4. Learned counsel for the petitioners submits that petitioners are in custody since 16th August, 2021, it is a case of false implication. FIR against the son of the complainant was registered on 24th May, 2021, there was no question of making payment of Rs.2,00,000/- on 25th May, 2021. He further submits that affidavits were given on 28th May, 2021. He further relies upon the deposition of PW-1 to PW-3 to state that they have not supported the case of the prosecution.

5. The Status report dated 1st February, 2022 by way of affidavit of Satvinder Singh Virk, PPS, Deputy Superintendent of Police, (City), Ferozepur is filed, same is taken on record.

6. Learned State counsel on instructions is not in a position to dispute the fact that complainant and the other two persons who had filed their affidavits have not supported the case of the prosecution.

7. Without commenting upon the merits of the case, considering the custody period and the fact that complainant and the two PW's who had filed affidavits supporting the allegations in the complaint have been examined and conclusion of trial is likely to take time, petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. The petition is allowed.

9. Since the main case is allowed, pending application, if any, renders infructuous.

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

[AVNEESH JHINGAN]
JUDGE

4th February, 2022

<i>Parveen Sharma</i>	1. Whether speaking/ reasoned	:	Yes /No
	2. Whether reportable	:	Yes /No