

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

CRM-M-32588-2022 (O & M)

Date of decision: 28.07.2022

Amrik Singh

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. H.P.S. Sidhu, Advocate, for the petitioner.

JASJIT SINGH BEDI, J. (Oral)

This is the second petition preferred by the petitioner under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.46 dated 02.05.2022 under Section 7 of the Prevention of Corruption Act, 1988 and (Amendment Act 2018) registered with Police Station Kot Ise Khan, District Moga, the first having been dismissed as withdrawn after arguments were heard on 14.06.2022..

2. The FIR, in the present case, came to be registered at the instance of ASI Nachhattar Singh, who stated that he had received reliable information that one audio recording of a police official of Police Station Kot Ise Khan had gone viral where the official concerned could be heard demanding a bribe. On his investigation, he found that PHG Amrik Singh No. 23349 (the present petitioner) who was posted at Police Station Kot Ise Khan was demanding money from a resident of a village Jaffar Wala, Police Station Kot Ise Khan with regard to issuance of a Police Clearance

Certificate. A perusal of the audio/video recording would establish that the petitioner-Amrik Singh was demanding a bribe for getting official work done.

4. The learned counsel for the petitioner contends that some unknown persons who were not affected had uploaded the video without verifying and checking the authenticity of the same. He submitted that Gurwinder Singh had furnished an affidavit to the effect that the petitioner had not raised any demand nor had any amount been paid to him. He further contended that a fake and false audio clip had been manipulated to inculcate the petitioner and the petitioner was otherwise ready to give his voice sample. A reference is also made to his clean service record to contend that he deserves the concession of anticipatory bail.

5. I have heard the learned counsel for the petitioner.

6. Admittedly, this is the second bail application of the petitioner, first having been dismissed as withdrawn on 14.06.2022 after lengthy arguments had been addressed. Be that as it may, I propose to decide the present petition on merits.

7. The allegations against the petitioner are that he was demanding a sum of Rs.5000/- as illegal gratification for getting issued the Police Clearance Certificate in favour of Gurwinder Singh, who was an accused in an NDPS case. The said Gurwinder Singh had recorded the conversation. The video of this conversation was uploaded on social media and has been made a part of the police file. Gurwinder Singh, from whom the demand was made, was made to join the investigation and his statement was recorded on 06.05.2022. Apparently, the allegations against the petitioner are extremely serious. Being a member of a disciplined force, he has sought

could not have done given the fact that Gurwinder Singh has a case under the NDPS Act registered against him. In fact, in the present case, the custodial interrogation of the petitioner is certainly required to verify the facts and take the investigation to its logical conclusion. Even otherwise, the petitioner has not been able to point out any change in circumstances entitling him to the grant of anticipatory bail when his first petition for the same relief had been dismissed after arguments had been addressed.

8. In view of the above, I find no merit in the present petition and the same is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

July 28, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No