

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

**CRM-M-38848-2022 (O&M)
Decided on: 21st September, 2022**

Sonu Kumar

Petitioner

Versus

Respondent

State of Haryana

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

This petition under Section 439 of the Code of Criminal Procedure is filed seeking regular bail in FIR No.5 dated 11.3.2022 under Sections 7 and 13 of Prevention of Corruption Act, 1988 registered at Police Station State Vigilance Bureau, Rohtak.

As per the case set up the petitioner a Head Constable in Haryana Police demanded a bribe of Rs. 9,000/- from the complainant Dharmender by threatening him to implicate in a cheating case. On complaint, a trap was laid and co-accused Neeraj was caught apprehended red handed on 11.3.2022. The allegations were supported by an audio recording.

Learned counsel for the petitioner submits that the petitioner is in custody since 13.6.2022, co-accused Neeraj was granted bail vide order dated 19.5.2022, the petitioner is ready to give his voice samples and he was not apprehended from the spot.

Learned State Counsel on instructions opposes the prayer for bail and submits that voice samples is yet to be taken and he being a police official demanded the bribe. She on instructions submits challan has been presented.

Without commenting on the merits of the case, having conspectus of the facts, custody period, petitioner volunteers to give his voice samples, co-accused was granted bail and the petitioner being a police official *prima facie*, there is no chance of his absconding, the petitioner is granted bail subject to his giving voice samples as and when called for by the police officials and further subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

21st September, 2022
anuradha

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No