

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43050 of 2022

Date of Decision: 8th December, 2022

Sandeep Watts

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P. S. Ahluwalia, Advocate for the petitioner.
Mr. Gaurav Garg Dhuriwala, Addl. AG, Punjab.

AVNEESH JHINGAN, J (Oral):

This petition filed under Section 439 Cr.P.C. seeking regular bail emanates from FIR No. 9 dated 20.6.2022, under Section 7 and 7-A of the Prevention of Corruption Act, 1988 and Section 120-B IPC, registered at Police Station Vigilance Bureau Flying Squad-I, Punjab at Mohali.

The brief facts are that complainant-Sanjay Kumar, a Government Contractor running a firm in the name and style of Dicadla Cooperative Society Ltd. sent a complaint on 18.1.2022 through post to Vigilance Bureau. After waiting for sometime, he sent a complaint to Anti-Corruption Action Line and to the Chief Director, Vigilance Bureau. It was alleged that Punjab Water Supply and Sewerage Board (for short, 'the Board') allotted the work for putting sewerage pipes at SBS Nagar to his firm for Rs.7.30 crores. Sandeep Watts (petitioner) Assistant Secretary in the Board demanded bribe on behalf of Sanjay Popli, IAS, Chief Executive Officer of the Board. One per cent of the value of work done was demanded for releasing the payment. Rs.3,50,000/- was paid to the petitioner and he took Rs.5,000/- separately. The incident was videographed.

Learned counsel for the petitioner submits that the petitioner is in custody since 20.6.2022, investigation is complete, challan stands presented. He further submits that as per the case set up, Rs.3,50,000/- paid to petitioner was for Sanjay Popli. The contention is that the role attributed

to the petitioner is that he accepted Rs.5,000/-. He argues that there is no proof against the petitioner of making demand of illegal gratification.

Learned counsel for the State opposes the prayer for grant of bail. He submits that Des Raj, SDO in the Board has given a statement that the petitioner was the conduit for illegal gratifications paid to Sanjay Popli. He however fairly submits that no recovery was made from the petitioner and investigation is complete.

The observations made hereinafter shall not be construed as an expression of opinion on the merits of the case and are made only for the purpose of deciding the bail application.

Considering the nature of allegations attributed to the petitioner; no recovery was made from him; at best the case of the prosecution against him is that he was working as conduit for Sanjay Popli; though the investigation is complete conclusion of trial is likely to take time and the petitioner has no criminal antecedents, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

8th December, 2022

mk

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