

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54040 of 2022

Date of Decision: 29th November, 2022

Krishan Kumar

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Arjun Kapur, Advocate for the petitioner.
Mr. APS Tung, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 18 dated 17.8.2022, under Section 7 of the Prevention of Corruption Act, 1988 read with Section 120B IPC, registered at Police Station Patiala, Punjab.

The relevant facts are that a complaint was made by Sukhvinder Singh on 5.8.2022. It was alleged that Krishan Kumar (petitioner) Lineman in PSPCL demanded bribe of Rs.3,000/- for giving report on the application made for electricity connection. On 11.8.2022, the petitioner demanded Rs.10,000/- for ensuring installation of the meter without any objection. The allegations were supported by an audio recording. A trap was laid and the petitioner was apprehended red handed. It was revealed that the amount received was to be divided amongst Sub Divisional Officer and two Junior Engineers.

Learned counsel for the petitioner submits that the petitioner is in custody since 17.8.2022; investigation is complete; the petitioner is not

involved in any other case and no recovery is to be made. He on instructions submits that the petitioner volunteers to give his voice sample.

Learned counsel for the State on instructions from ASI Kulwinder Singh opposes the prayer for bail. He submits that the co-accused are yet to be apprehended and voice sample of the petitioner is to be taken.

Without commenting on the merits of the case, considering that the petitioner has no criminal antecedents; though investigation is complete, conclusion of trial is likely to take time and the petitioner volunteers to give his voice sample, 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.

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

29th November, 2022

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