

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

CRM-M-58005 of 2022 (O&M)

DECIDED ON:16th December, 2022

ASI Sukhdev Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

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

Mr. Arun Luthra, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This is a petition seeking regular bail in case of FIR No.16 dated 13.10.2022, under Section 7 of the Prevention of Corruption Act, 1988 (Amendment Act, 2018), registered at Police Station Vigilance Bureau, Bathinda, District Bathinda.

The brief facts are that the FIR was registered at the instance of Des Raj. It was alleged that petitioner posted as ASI demanded illegal gratification for presenting the challan in FIR No. 328 dated 12.12.2020, under Sections 325, 323, 341, 452, 148, 149 IPC registered at Police Station City Malout. He had accepted part payment of illegal gratification. To support his case, complainant produced an audio recording.

Learned counsel for petitioner submits that it is a case of false implication to pressurize the petitioner to act as per the whims and fancies of complainant in the FIR. The contention is that the petitioner is in custody since 13.10.2022. Investigation is complete. Challan stands presented. The petitioner has given his voice sample.

Learned State counsel on instructions opposes the prayer but is not disputing the fact that investigation is complete, voice sample has been taken and petitioner is not involved in any other case.

Without commenting upon the merits of the case, considering that petitioner being police official *prima-facie* there is no chance of his absconding though investigation is complete conclusion of trial is likely to take time, no further recovery is to be made, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

Since the main case has been decided, the pending application, if any is rendered infructuous.

16th December, 2022

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*

Whether reportable *No*