

2023:PHHC:050033

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1600-2023 (O&M)
Date of Decision:-12.4.2023

Surinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amandeep Singh, Advocate with
Mr. Harmeet Singh, Advocate and
Ms. Amarjot Kaur, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Surjit Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.27, dated 6.12.2022 at Police Station Vigilance Bureau Range, Amritsar, District Amritsar, Punjab, under Section 7 of Prevention of Corruption Act, 1988 (as amended by PC (amendment) Act, 2018.
2. The allegations, in nutshell, are that the petitioner, who was posted as ASI had demanded illegal gratification to the tune of Rs.80,000/- out of which the complainant is stated to have paid an amount of Rs.30,000/-. Later when the complainant reported the matter to Vigilance Bureau, a trap was laid and the petitioner was caught red-handed while accepting bribe of Rs.10,000/-. It is alleged that the petitioner had been demanding the aforesaid amount for

adding an offence under Section 325 IPC in the cross-case lodged at the instance of the complainant against the opposite party.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that since the investigation, in any case, stands concluded further detention of the petitioner would not serve any useful purpose.
4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while accepting the bribe of Rs.10,000/-, his complicity is clearly evident. Learned State counsel has not disputed that challan already stands presented. It has also been informed that the petitioner as on date has been behind bars since the last more than 4 months and that out of the cited 13 PWs none has been examined till date.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioner i.e. more than 4 months and also the fact that conclusion of trial is likely to take some time as none out of the cited 13 PWs has been examined so far, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.4.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No