

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

CRM-M-6498-2023 (O&M)
Date of Decision:- 13.02.2023

Poonam Rani ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Vaishali Kamboj, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by Inspector Jai Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against her vide FIR No.17, dated 17.11.2022, Police Station Vigilance Bureau, Panchkula, under Sections 7, 13 of the Prevention of Corruption Act, 1988 and Section 120-B IPC.
2. The allegations, in nutshell, are that the petitioner who was posted as ASI, had demanded an amount of Rs.20,000/- as bribe, which was later settled at Rs.10,000/-, so as to ensure that no action is taken against the complainant's son, who was having a matrimonial dispute with his wife. Pursuant to the complainant reporting the matter to the

Vigilance bureau, a trap was laid. It is further the case of prosecution that on the day when the complainant went to the police station to hand over the amount (tainted currency) to the petitioner, co-accused ASI Angrej was also present there and the petitioner told the complainant to go outside and that co-accused Angrej will settle the matter. It is further the case of prosecution that when complainant Angrej Singh went out, the complainant passed on the said amount to ASI Angrej Singh and who was caught red-handed at the spot.

3. Learned counsel for the petitioner has submitted that at the alleged tainted currency notes had admittedly been recovered from co-accused ASI Angrej and not from the petitioner and that the petitioner has been falsely implicated.
4. On the other hand, learned State counsel submitted that it is a case where there is an audio recording in respect of the telephonic conversation which had taken place between the petitioner and the complainant wherein the petitioner is found to be demanding bribe. It has also been informed that the petitioner as on date has been behind bars for the last about 3 months and that challan already stands presented. It has been informed that charges are yet to be framed and as many as 18 PWs have been cited. It has however, been informed that the petitioner is not wanted in any other case.
5. It is not disputed that the recovery was effected from the co-accused and not from the petitioner. The case against the petitioner is mainly based on the statement of the complainant and the audio regarding, the authenticity of which would be established during the course of

trial. The petitioner in any case, has been behind bars since the last about 3 months. Conclusion of trial is likely to take time inasmuch as 18 PWs have been cited. The petitioner is a lady and otherwise has a clean record. In these circumstances, 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 bail subject to her furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6. It is however, direction that the aforesaid order shall be subject to the condition that the petitioner shall furnish voice sample, as and when directed, and not threaten the complainant, in any manner. In case, it is found that the petitioner does not cooperate for furnishing voice samples or is found to be intimidating the witnesses, it shall be open to the prosecution to move an application for cancellation of bail.

13.02.2023
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No