

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208

CRM-M-7388-2023 (O&M)
Date of Decision: 21.03.2023

Narinder Singh Dhaliwal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Ms. Aarushi Garg, Advocate, for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by DSP Nirmal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.01 dated 06.01.2023 at Police Station Vigilance Bureau, Ludhiana, under Sections 7, 7-A, 8 of the Prevention of Corruption Act read with Section 120-B IPC.
2. The FIR was lodged at the instance of Satnam Singh Dhawan, wherein it is alleged that Narinder Singh Dhaliwal, who is posted as Regional Transport Authority (RTA), Ludhiana since July 2021 collects money from different transporters and for the said purpose, he was using services of 3 Home Guard officials in an illegal manner and had amassed various properties (*Nami* and *Benami*). It has further been submitted that as of now he had employed a private person by the name Mandeep Singh in place of Bahadur Singh, Home Guard. The complainant Satnam Singh Dhawan further alleged that Bahadur Singh had told him about the

- activities of Narinder Singh Dhaliwal, RTA and he (complainant) had prepared a video recording of the said disclosures made by Bahadur Singh and that in the said video recording Bahadur Singh had told that earlier he used to collect Rs.6-7 lakhs from the transporters every month and that in the last month he had handed over an amount of Rs.3.40 lakhs and that he used to be paid Rs.30,000-40,000/- for the same. The complainant Satnam Singh Dhawan alleged that when he had earlier made a complaint against Narinder Singh Dhaliwal, RTA, he tried to bribe him but he refused to accept the same. It is also alleged that Narinder Singh Dhaliwal, RTA was having links with highly placed politicians. It is further alleged that Bahadur Singh had disclosed that the money used to be collected from vehicles overloaded with (*Turri*), overloaded tippers carrying sand, tourist buses, which ply to other States during night, transports handling containers from dry port and factory buses, which are being plied without permit.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case solely on the basis of one statement of Satnam Singh, who claims to have recording of Bahadur Singh, who was deputed as a gun-man with the petitioner. Learned counsel has further submitted that apart from the said statement and recording, there is no other evidence to connect the petitioner with the allegations, as have been leveled in the FIR. It has further been submitted that investigation in any case is complete and as such, the petitioner is not required to be detained any further.

4. Opposing the petition, learned State counsel has submitted that since recovery of an amount of Rs.2,30,000/- was effected from Bahadur Singh, who had been facilitating the collection of money alongwith one Lucky at the behest of the present petitioner, the complicity of the petitioner is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 2 months and challan already stands presented. It has also been informed that the petitioner is not involved in any other case. It has also been informed that charges are yet to be framed and as many as 33 PWs have been cited.
5. This Court has considered rival submissions.
6. In the present case, investigation is complete and challan stands presented. The trial has not even commenced till date and a large number of PWs have been cited. The petitioner otherwise enjoys a clean record. Conclusion of trial is likely to consume time inasmuch as charges are yet to be framed and as many as 33 PWs have been cited. 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 regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. It is clarified that the aforesaid order shall enure offence under Section 207 of the Motor Vehicles Act, 1988 as well.

21.03.2023

Vimal

(GURVINDER SINGH GILL)
JUDGEWhether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**