

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

**(I)**

**CRM-M-9068-2023 (O&M)**

Date of Decision:- 27.02.2023

Surjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

**(II)**

**CRM-M-8564-2023 (O&M)**

Resham Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Simranjit Singh, Advocate,  
for the petitioner in CRM-M-9068-2023.

Mr. P.S.Ahluwalia, Advocate,  
for the petitioner in CRM-M-8564-2023.

Mr. Luvinder Sofat, DAG, Punjab  
assisted by Inspector Harish Kumar.

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**GURVINDER SINGH GILL, J. (ORAL)**

1. This order shall dispose of the above mentioned two petitions wherein petitioners Surjit Singh and Resham Singh, seek grant of regular bail in a case registered vide FIR No.24, dated 14.11.2022, Police Station Vigilance Bureau, FS-1, Punjab at Mohali, under Sections 7, 7-A of Prevention of Corruption Act, 1988, as amended

by the Prevention of Corruption (Amendment) Act, 2018 and Section 120-B IPC.

2. The FIR was lodged at the instance of Harjinder Kumar, wherein it is alleged that his brother namely Suresh Kumar was booked in FIR No.131, dated 27.8.2022 registered under Narcotic Drugs and Psychotropic Substances Act on the allegation that he was found in possession of 101 kilograms of '*poppy husk*'. It is the case of complainant that when he alongwith other members of his family went to the police station, they met Resham Singh and Surjit Singh, who told the complainant that the SHO was demanding an amount of Rs.10 lakhs so as to ensure that other members of the family of Suresh Kumar are not involved in the case. It is further the case of prosecution that subsequently an application was moved for release of truck (canter) on '*superdari*', which was duly accepted by learned Judge Special Court, Jalandhar vide order dated 10.11.2022 (Annexure P-4). However, since the said truck was not released immediately by the police, the complainant approached the police and it is alleged that Resham Singh and Surjit Singh demanded illegal gratification of Rs.1 lakh for the purpose of release of truck. Since the complainant did not wish to pay the said bribe, he contacted the Vigilance Bureau, Punjab and a trap was laid and Resham Singh and Surjit Singh were caught red handed while accepting an amount of Rs.1 lakh.
3. Learned counsel representing the petitioners have submitted that they have falsely been implicated in the present case and that it is

unbelievable that once the Court had already ordered for release of the truck on *supardari*, the complainant would have paid another Rs.1 lakh for getting possession of the same. It has further been submitted that the petitioner in any case has been behind bars since the last more than 3 months and investigation already stands concluded.

4. Opposing the petitions, learned State counsel has informed that since both the petitioners were caught red-handed and that while an amount of Rs.25,000/- was recovered from Surjit Singh, another amount of Rs.75,000/- was recovered from Resham Singh, their complicity is clearly evident. Learned State counsel has not disputed the fact that the petitioners have been behind bars since the last more than 3 months and that challan already stands presented. It has been informed that charges are yet to be framed and as many as 37 PWs have been cited.
5. This Court has considered the rival submissions.
6. It is no doubt correct that there are specific allegations against the accused who are alleged to have been caught red-handed while accepting bribe. However, investigation stands concluded and challan has been presented. Petitioners have been behind bars for a substantial period of more than 3 months and conclusion of trial is likely to consume time. In these circumstances, further detention of petitioners who otherwise have a clean record will not serve any useful purpose. The petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their

furnishing bail bonds to the satisfaction of learned trial Court/Chief  
Judicial Magistrate/Duty Magistrate concerned.

7. A photocopy of this order be placed on the file of each connected  
case.

**27.02.2023**  
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**( GURVINDER SINGH GILL)**  
**JUDGE**

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |