

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

CRM-M-9356-2023 (O&M)
Date of Decision:- 27.02.2023

Gurmej Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Piyush Sharma, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.
assisted by ASI Kishan Chand.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No. 30, dated 26.12.2022, Police Station Vigilance Bureau Ferozepur Range District Ferozepur, under Section 7 of Prevention of Corruption (Amendment) Act, 2018.
2. The FIR was lodged at the instance of Rani widow of Ashwani Kumar wherein it is alleged that her son Sagar had been falsely involved in a case registered for offence under NDPS Act and that ASI Gurmej Singh (petitioner) had been threatening the complainant to involve her and other members of her family as well and thus

demanded illegal gratification from her for not implicating them. It is further the case of prosecution that while the petitioner had paid an amount of Rs.2000/- on two occasions, she did not wish to pay the balance amount and contacted the Vigilance Bureau and accordingly a trap was laid and the petitioner was caught red-handed while accepting an amount of Rs.6,000/- from the complainant.

3. Learned counsel appearing on behalf of the petitioner has submitted that he has falsely been implicated in the present case at the instance of the complainant, who herself has a tainted record inasmuch as she as well as her son Sagar are involved in as many as 7 other cases under NDPS Act. It has been submitted that since challan already stands presented, further detention of the petitioner is not required for any useful purpose.
4. Opposing the petition, learned State counsel has submitted that since it is a case where the petitioner was caught red-handed while accepting the bribe and there is audio conversation also between the complainant and the petitioner, the complicity of the petitioner is clearly evident. Learned State counsel has however, not disputed the fact that the petitioner has been behind bars since the last about 2 months and that challan already stands presented and that charges are yet to be framed and that as many as 22 PWs have been cited.
5. This Court has considered rival submissions.
6. It is correct that the petitioner is alleged to have been caught red-handed while accepting illegal gratification of Rs.6000/-. However, investigation is complete and challan stands presented. Conclusion

of trial is likely to take time inasmuch as 22 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 bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. It is however, made clear that in case the petitioner makes any attempt to threaten or intimidate the witnesses, it shall be open to the prosecution to move for cancellation of bail.

27.02.2023
mohan/kanika

(GURVINDER SINGH GILL)
JUDGE

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