

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CRM-M-13130-2023

Date of Decision: 13.04.2023

Sahil Chillar ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. K.S.Sidhu, Senior Advocate, with
Mr. H.S.Dhindsa, Advocate, for the petitioner.

Ms. Geeta Sharma, DAG, Haryana and
Mr. Gurmeet Singh, AAG, Haryana,
assisted by Inspector Ranbir Singh.

FIR No.	Dated	Police Station	Section/s
07	11.02.2023	SVB, Gurugram, District State Vigilance Bureau, Gurugram	Sections 7 of the Prevention of Corruption Act (Sections 7A, 8, 13(1)(B) & 13(2) of the Prevention of Corruption Act and Section 201 IPC added later on).

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Surendra Singh, wherein it has been stated that he is in transport business and his vehicles ply between Rajasthan and Gurgram, but they are being challaned repeatedly by RTO, Rewari. The complainant alleged that he had discussed the matter with other transporters, who gave him mobile number of one Kalu. When he

- contacted said Kalu on the said mobile number, he was assured by him that he will get the matter settled with RTO and that the complainant would, however, be required to pay an amount of Rs.11,000/- per vehicle per month to the staff of RTO and that since the complainant was having 4 vehicles, he would be required to pay Rs.44,000/-. The complainant alleged that said Kalu used to collect money for RTO staff, Rewari and that on the given day, the complainant was supposed to pay an amount of Rs.44,000/-. The complainant thereafter contacted Vigilance Bureau and a trap was laid and said Kalu was caught red-handed while accepting an amount of Rs.44,000/-.
3. The aforesaid Kalu upon being arrested was asked by the Police officials to make a telephonic call to Sudhir Narwal and accordingly said Sudhir Narwal was called at the spot. When the aforesaid amount of Rs.44,000/- was passed on by Kalu to said Sudhir Narwal, he was also caught red-handed. It is further the case of the prosecution that upon being interrogated, Sudhir Narwal disclosed that the said amount was to be further passed on to one Kapil, Driver in Regional Transport Office. Accordingly, Sudhir Narwal was asked to make a telephonic call to said Kapil and to call him at the spot to collect the money, but said Kapil did not turn up. Subsequently, said Kapil was also arrested on the same day. It is further the case of prosecution that Sudhir Narwal in his disclosure statement had also disclosed that one Sahil Chillar (petitioner), who is a transporter, had been collecting money from other transports/truck drivers and passing on the same to the Regional Transport Office.

Pursuant to the said statement, the petitioner was also arrested on 12.02.2023.

4. Learned senior counsel appearing on behalf of the petitioner has submitted that he has falsely been implicated in the present case solely on the basis of a disclosure statement made by one Sudhir Narwal, who himself was nominated on the basis of disclosure statement of Kalu and that no amount whatsoever was ever recovered from him. It has been submitted that as a matter of fact the petitioner and his father owned 43 vehicles and are into transport business and have been transporting the cement manufactured by Shree Cement Ltd. since long.
5. Opposing the petition, learned State counsel has submitted that since the name of the petitioner has surfaced in the disclosure statement of co-accused Sudhir Narwal, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 2 months and that he is not involved in any other case. It has also been informed that charges are yet to be framed and as many as 29 PWs have been cited.
6. This Court has considered rival submissions.
7. Having regard to the facts and circumstances of the case particularly the fact that the petitioner, who was nominated on the basis of a disclosure statement, was not found to be in possession of any money and there is no other evidence to connect him with the alleged occurrence and also the fact that challan already stands presented and trial is yet to commence and as many as 29 PWs have been cited, further detention of the

petitioner will not serve any useful purpose as the conclusion of trial will take some time. 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.

13.04.2023

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