

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-23602-2022 (O&M)**

Sukhdev Singh ...Petitioner

Versus

State of Punjab ...Respondent

(II) CRM-M-23561-2022 (O&M)

Hardeep Lal ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 23.03.2023**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Ms. Tanu Bedi, Advocate, for the petitioner
in CRM-M-23602-2022.Mr. Saurabh Kapoor, Advocate, for the petitioner
in CRM-M-23561-2022.Mr. Luvinder Sofat, DAG, Punjab,
assisted by Inspector Rajwinder Kaur.**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of aforesaid 2 petitions filed on behalf of Sukhdev Singh and Hardeep Lal respectively, seeking grant of regular bail in respect of a case registered against them vide FIR No.30 dated 01.12.2021 registered at Police Station Vigilance Bureau Range, Jalandhar, under Section 7 of the Prevention of Corruption Act and Sections 341, 384, 120-B IPC.

2. The allegations, in nutshell, are that on 11.11.2021, the complainant Sharanjit Singh was intercepted by the police while he was going on his motor-cycle. He was taken to the Police Station, where he was threatened by the petitioners of false implication in case he did not give them an amount of Rs.60,000/-, which was later on settled at Rs.20,000/-. Thereafter, the complainant was let off while retaining his mobile phone and motor-cycle with a clear understanding that the same would be returned to him after he pays the aforesaid settled amount. On 19.11.2021, the complainant sent his wife to the Police Station to discuss the matter and his wife recorded the entire conversation which had taken place between her and the petitioners. Thereafter, the complainant submitted a complaint to the Vigilance Bureau and in pursuance of said complaint a raid was conducted and the motor-cycle as well as mobile of the complainant were recovered from the Police Station, where the petitioners were posted. Consequently, the FIR in question came to be lodged.
3. Learned counsel for the petitioner/s have submitted that they have falsely been implicated in the present case and that no amount whatsoever was ever recovered from them at any point of time. It has further been submitted that in any case since challan already stands presented and as a matter of fact after framing of charges, even the complainant and his wife, who are the star witnesses, have been examined, no useful purpose would be served by detaining the petitioners behind bars.
4. Opposing the petitions, learned State counsel has submitted that it is a case where the conversation, which had taken place between the complainant's wife and the petitioners, had been recorded and the same

has been sent for examination to FSL. Learned State counsel has not denied the fact that the complainant as well as his wife, who are star witnesses, already stand examined. It has, however, been informed that the petitioners as on date have been behind bars since the last about 11 months & 21 days. It has also been informed that as on date only 2 PWs out of cited 23 PWs have been examined.

5. This Court has considered rival submissions.
6. There indeed are specific allegations against the petitioners. However, the entire case depends upon the audio conversation, which is stated to have been recorded by the complainant's wife. The complainant and his wife already stand examined. In such circumstances, there would not be any chance of winning over or threatening the witnesses. The report from FSL is still awaited. Conclusion of trial will take some time inasmuch as only 2 PWs out of cited 23 PWs have been examined so far. As such, having regard to the fact that both the petitioners have been behind bars since the last about 1 year, further detention of the petitioners will not serve any useful purpose. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A photocopy of this order be placed on the connected file.

23.03.2023

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**