

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

CRM-M-22360-2023 (O&M)
Date of Decision:- 09.05.2023

Balraj Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.S.Rangi, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
08	10.3.2023	State Vigilance Bureau, Patiala, District Patiala	7 of Prevention of Corruption Act, 1988

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered in a case arising out of above mentioned FIR.
2. The allegations, in nutshell, are that the petitioner who was serving as ASI in Police had demanded an amount of Rs.25,000/- from the complainant for the purpose of initiating proceedings under Section 107/151 Cr.P.C. against the opposite party and the same was settled at Rs.20,000/- out of which an amount of Rs.10,000/- was to be paid in advance and the balance Rs.10,000/- was to be paid after the proceedings are initiated. The complainant alleged that he paid an

amount of Rs.1500/- at the spot and it was agreed that he would pay the remaining Rs.8500/- out of the advance to be paid shortly. However, since the complainant did not wish to pay the said amount, he reported the matter to the Vigilance Bureau. A trap was accordingly laid and the petitioner was caught red-handed while accepting an amount of Rs.8500/-.

3. Learned counsel representing petitioner submits that he has been falsely implicated in the present case and there is no credible evidence to establish the allegations levelled against him.
4. On the other hand, learned State counsel while opposing the petition, submits that since it is a case where the petitioner was caught red-handed while accepting tainted currency notes, his complicity is clearly evident. It has also been informed that there is audio recording of the conversation between the petitioner and the complainant wherein he has demanded the amount from the complainant. Learned State counsel has however, informed that the petitioner is not wanted in any other case. It is also informed that challan already stands presented and that the charges are yet to be framed and as many as 11 PWs have been cited. It has also been informed that the petitioner has been behind bars since the last about 1 month and 26 days.
5. This Court has considered the rival submissions.
6. Though, there are specific allegations against the petitioner in respect of which the police claims to have collected sufficient evidence but having regard to the fact that the petitioner has been behind bars

since the last about 2 months and the trial is yet to commence as charges have not been framed so far and as many as 11 PWs have been cited, 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.

09.05.2023

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(GURVINDER SINGH GILL)

JUDGE

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