

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

CRM-M-25562-2023 (O&M)
Date of Decision:-25.5.2023

Tikam Singh ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manish Soni, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by Inspector Suresh Kumar.

FIR No.	Dated	Police Station	Section/s
12	9.3.2023	Anti Corruption Bureau, Gurugram	7 of Prevention of Corruption Act, 1988 and Sections 13(1)(B) read with Section 13(2) of P.C. Act, 1988 were added later on.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Vineet Bisla, wherein it is alleged that the petitioner, who was posted as Assistant Sub Inspector, Police Station Sector – 9, Gurugram had demanded an amount of Rs.20,000/- from the complainant so as not to take any action against the complainant as one Manish had levelled allegations against the complainant to the effect that he (complainant) had destroyed his goods by setting them on fire. The complainant alleged that while an amount of Rs.12,000/- had already been paid on 6.3.2023, the remaining amount was yet to be paid. Since the

complainant did not wish to pay the said amount, he recorded the conversation and reported the matter to Vigilance Bureau. A trap was accordingly laid and the tainted currency notes were recovered from the floor of the petitioner's car.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that the alleged recovered tainted currency notes have been foisted upon the petitioner and the same were never recovered from physical possession of the petitioner.
4. Opposing the petition, learned State counsel has submitted that since the tainted currency notes were recovered from the car in which the petitioner was sitting, his complicity is clearly evident. Learned State counsel has informed that the sanction to prosecute the petitioner is still awaited. It has further been submitted that there is an audio recording, which would also lent corroboration to the case of the complainant. Learned State counsel has, however, informed the petitioner as on date has been behind bars since the last more than 2½ months and that challan already stands presented and as many as 15 PWs have been cited. It has also been informed that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but having regard to the custody of the petitioner i.e. more than 2½ months and also the fact that conclusion of trial is likely to take some time as the trial is yet to commence and as many as 15 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 regular bail on his furnishing

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

7.
- It is further directed that the petitioner shall furnish his voice samples as and when directed.

25.5.2023
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No