

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

CRM-M-37032-2022 (O&M)
Date of Decision:-23.1.2023

Uttamjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kirat Pal Dhaliwal, Advocate for the petitioner.

Mr. Siddharth Atttri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.10, dated 21.6.2022 at Police Station Vigilance Bureau Range, Ferozepur, District Ferozepur, Punjab under Section 7 of Prevention of Corruption Act, 1988.
2. The FIR was lodged at the instance of Harjinder Singh, wherein it is alleged that his cousin Sukhdeep Singh @ Deepa is a drug addict and had been nabbed by the police and taken to Police Station Sadar, Faridkot. When the complainant came to know about the same, he went to the police station and met Head Constable Uttamjit Singh (petitioner), who told the complainant that they are going to register FIR against Sukhdeep Singh @ Deepa for recovery of 100 grams of intoxicant powder. The complainant pleaded with

him for not doing so but Head Constable Uttamjit Singh stated that the same has to be registered and that in case he wanted that FIR with some minor offences is registered, then he will be required to pay an amount of Rs.1 lakh. The said amount was settled at Rs.60,000/-. The complainant initially paid an amount of Rs.5,000/- and later paid an amount of Rs.10,000/- and it was agreed that the balance amount of Rs.45,000/- would be paid on 21.6.2021. The complainant alleged that at the time of making the payment of Rs.15,000/-, he had recorded the conversation. It is alleged that the accused, after accepting the amount, registered FIR against Sukhdeep Singh @ Deepa, wherein it is alleged that 200 intoxicant tablets were recovered from him. However, since the complaint did not wish to pay the remaining amount, he contacted the Vigilance Bureau, Punjab. A trap was laid and the petitioner was caught red-handed.

3. Short reply by way of affidavit of Shri Jaswinder Singh, PPS, Deputy Superintendent of Police, Vigilance Bureau, Unit Faridkot, District Faridkot has been filed by learned State counsel, which is taken on record.
4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that the falsity would be evident from the fact that when the complainant Harjinder Singh was examined during the course of trial, he resiled from his statement.
5. Opposing the petition, learned State counsel has submitted that it is a case where the petitioner apparently has been able to win over the complainant and that since tainted currency notes were recovered from the petitioner, his complicity is clearly evident. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 7 months and that

as on date 3 PWs out of the cited 17 PWs have been examined. It has also been informed that the petitioner otherwise is not involved in any other case.

6. This Court has considered the rival submissions.
7. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioner, which is about 7 months and also the fact that the petitioner otherwise enjoy a clean record and that conclusion of trial is likely to take some time inasmuch as only 3 PWs out of the cited 17 PWs have been examined so far, 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.

23.1.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No