

2023:PHHC:098528

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

203/2

CRM-M-34945-2023 (O&M)

DATE OF DECISION: 01.08.2023

BALWAN SINGH

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Parveen Kumar, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.0133 dated 14.05.2023, under Sections 218, 389, 34, 384, 120-B of the Indian Penal Code, 1860, and Sections 7, 12 and 13 of the Prevention of Corruption Act, 1988, registered at Police Station Ram Nagar, Karnal, District Karnal.

Learned counsel for the petitioner submits that the allegations are against the co-accused, who were involved in the investigation of FIR No.94/23 registered under Sections 18 and 25 of the NDPS Act and alleged to have shown lesser recovery than actual quantity of contraband recovered. The petitioner is not connected with the investigation and has been falsely implicated. He submits that the telephonic conversation between the petitioner and Sukhdev who is relative of the accused in FIR No.94/23 which is being relied upon by the Investigating agency, does not implicate the petitioner as he has not raised any demand for illegal gratification.

Learned counsel submits that the conversation between petitioner and Sukhdev indicates that the money had been paid to the petitioner for

helping the accused in an another FIR. He had also demanded a sum of Rs.50,000/- which was paid to him in the presence of Sukhdev and the complainant. Sukhdev had withdrawn a sum of Rs.50,000/- on that very day which is also reflected in his Bank account statement.

Heard.

The allegations against the petitioner are that he had demanded and accepted a sum of Rs.50,000/- to help the accused, from whom recovery of 995 grams opium, had been effected but the recovery shown in the recovery memo was 467 grams. There is a conversation between the petitioner and Sukhdev which is reflected in the transcript at Annexure R-4 to the reply.

In view of the serious allegations against the petitioner, who is a police officer of having accepted illegal gratification for weakening a drug case, I do not deem it appropriate to grant him the concession of anticipatory bail.

The petition stands dismissed.

Pending application(s), if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

01.08.2023

SwarnjitS

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