

row. Moreover as per latest development in present case complainant and Sukhjinder Singh @ Shammy son of Baldev Singh resident of Chak Roran Wala @ Tambu Wala Tehsil Jalalabad District Fazilka, who was blackmailing brother of accused/applicant and was seeking money from him for himself and also for Vigilance Bureau Unit Fazilka. Sandeep Singh son of Om Singh resident of Village Chak Tahliwala Teshil Jalalabad District Fazilka allured complainant and Sukhjinder Singh @ Shammy was caught red handed by Vigilance Bureau Unit Ludhiana while receiving money from Sandeep Singh. FIR No. 11 dated 30.09.2022 under Section 7-A Prevention of Corruption Act, 1988 as amended by Amendment Act 2018 is registered against complainant Sukhjinder Singh @ Shammy at Vigilance Bureau Unit Ludhiana. Voice recording conversation of Sandeep Singh and of complainant Sukhjinder Singh @ Shammy is also with the Vigilance Bureau Unit Ludhiana, which is detailed in facts of FIR. Complainant of present case is enclosed for the kind perusal of this Bureau Unit Fazilka is nothing else but to put pressure upon accused/applicant and her brother not to pursue FIR registered against complainant at Vigilance Bureau Unit Ludhiana.

“2. That earlier similar kind of application dated 05.08.2022 was filed by Vigilance Bureau in the Court of Ld. CJM Fazilka for seeking permission to take voice sample of accused/applicant for comparison with the voice sample allegedly produced by complainant Sukhjinder Singh @ Shammy. Said application was allowed vide order dated 06.08.2022. Further in compliance of order Ld. CJM accused/applicant and complainant Sukhwinder Singh were produced on 31.08.2022 at 2.30 PM at FSL SAS Nagar

*Mohali through SI Machinder Singh of Vigilance Bureau Unit
Fazilka.*

4. Counsel for the petitioner submits that similar kind of application dated 05.08.2022 was filed by the Vigilance Bureau and the same was allowed, then there was no reason to file another application after filing of the challan.

5. Impugned order dated 04.07.2023 Annexure P-8, passed by trial Court by placing reliance on the judgment passed by Hon'ble Apex Court in Pravinsinh Nrupatsinh Chauhan V. State of Gujarat, 2023 LiveLaw (SC) 463 and directed to petitioner to give voice samples.

6. The matter revolves around a conversation which had taken place between Karan Kataria, A.P.O and the petitioner-Swarsha Rani and in the said conversation, the petitioner had disclosed about the details of MB work pertaining to the file of the complainant pending before her. It is the said pending work on which she allegedly accepted Rs.25,000/- as illegal gratification from the complainant-Sukhjinder Singh.

7. Considering the nature of job, the petitioner was performing and serious nature of allegations of demanding money to sanction someone's legally entitled remuneration, the recording of her voice sample will not at all prejudice the petitioner but in fact it shall absolve the petitioner in case she was innocent.

8. Given above, there is no merit in the petition and the same is dismissed.

(ANOOP CHITKARA)
JUDGE

29.08.2023
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.