

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(I) CRM-M-48476-2022 (O&M)

Kuljeet KaurPetitioner
Versus
State of PunjabRespondent

(II) CRM-M-36405-2022 (O&M)

Parveen KumarPetitioner
Versus
State of PunjabRespondent

Date of Decision: 25.01.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sunil Chadha, Senior Advocate, with
Mr. Akshya Chadha and Ms. Taanvi Dhull, Advocates,
for the petitioner in CRM-M-48476-2022.

Mr. Navjot Singh, Advocate, for the petitioner
in CRM-M-36405-2022.

Mr. Siddharth Attri, AAG, Punjab,
assisted by DSP Inderpal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose off the aforesaid two petitions i.e. CRM-M-48476-2022 and CRM-M-36405-2022 filed on behalf of Kuljeet Kaur and Parveen Kumar, seeking grant of regular bail in respect of a case registered against them vide FIR No.8 dated 14.07.2022 at Police Station Vigilance Bureau, Economic Offences Wing, Ludhiana, under Sections 7 and 7-A of the Prevention of Corruption Act (Sections 409, 201 IPC and

Section 13(2) of the Prevention of Corruption Act have been added later on).

2. The FIR in question was lodged at the instance of Satnam Singh, wherein it is stated that he alongwith one Tejinderpal Singh had jointly purchased a booth in an auction conducted by the Ludhiana Improvement Trust on 14.05.2012. Though he had initially deposited some installments, but later he became a defaulter. It is alleged that on 11.07.2022 he met Harmeet Singh, Junior Assistant, Town Improvement Trust, Ludhiana in this regard, who scared him by stating that his booth has been cancelled and further stated that he could get the same restored with the help of Parveen Kumar, Sales Clerk and Kuljit Kaur, Executive Officer and that the complainant would be required to pay an amount of Rs.20,000/- as bribe. The complainant further alleged that although he had paid an amount of RS.10,000/- to the aforesaid Harmeet Singh, but since he did not wish to pay the balance amount, he reported the matter to the Vigilance Bureau. It is further the case of prosecution that a trap was laid and said Harmeet Singh was caught red-handed while accepting bribe of Rs.10,000/-.
3. Learned counsel appearing on behalf of the petitioners have submitted that they have falsely been implicated in the present case and that neither there is any demand on behalf of the petitioners nor any amount was recovered from them and it is co-accused Harmeet Singh, who was caught red-handed and who apparently had accepted the amount on the

- pretext of passing on to his superiors, whereas in fact the petitioners had no clue whatsoever about any such bribe.
4. Opposing the petition, learned State counsel has submitted that since the complainant specifically named both the petitioners and that subsequently various other irregularities have been found in the matter of allotment of plots, their complicity is clearly evident. Learned State counsel has, however, informed that both the petitioners as on date have been behind bars since the last about 6 months. It has also been informed that charges are yet to be framed and as many as 23 PWs have been cited.
 5. This Court has considered rival submissions.
 6. It is no doubt correct that the petitioners are named in the FIR, but it is the co-accused Harmeet Singh, who was caught red-handed while accepting bribe. In any case, without commenting anything as regards the merits of the case, but while noticing that the petitioners have been behind bars for the last about 6 months, further detention of the petitioners will not serve any useful purpose as the trial has not even commenced and as many as 23 PWs have been cited. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
 7. Any other application, if pending, also stand disposed of.
 8. A photocopy of this order be placed on the connected file.

25.01.2023

Vimal

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No