

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

CRM-M-55916-2022 (O&M)
Date of Decision:-25.1.2023

Gurmeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Baldev Raj.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.25, dated 2.11.2022, Police Station Vigilance Bureau Range Ferozepur, District Ferozepur, under Section 7 of Prevention of Corruption Act, 1988 (Amendment Act, 2018).
2. The FIR was lodged at the instance of Jagsir Singh, wherein it is alleged that Inderjit Kaur had submitted an application against him to the police and in respect of which ASI Gurmeet Singh informed the complainant telephonically and asked him to visit the police station. The complainant visited the police station where Inderjit Kaur was also present alongwith her brother. ASI Gurmeet Singh heard both the parties and asked the opposite party to lodge an FIR. It is alleged that in the meantime a person, who was in civil dress, spoke to the complainant and told him to pay an amount of Rs.50,000/- in case he wanted to save himself from the FIR. The complainant

being scared asked his friend to withdraw an amount of Rs.30,000/- from ATM, which was accordingly withdrawn and paid to ASI Gurmeet Singh, who got the compromise effected. It is alleged that ASI Gurmeet Singh further asked him to pay another amount of Rs.20,000/- in case the complainant wanted to get a copy of the compromise. The complainant returned back home. It is alleged that subsequently ASI Gurmeet Singh again called him telephonically and made a demand of the balance amount and that he recorded the telephonic conversation. Since the complainant did not wish to make the payment he approached Vigilance Bureau, which laid a trap. However, the petitioner was not apprehended at the spot and is alleged to have run away when the raiding party conducted the raid.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that neither he was found at the spot nor any money was ever recovered from him and as a matter of fact when the raid was conducted, he was not even present at the police station as he was present at Civil Hospital, Ferozepur as is evident from the entries recorded in DDRs (Annexures P-4 and P-5). Learned counsel has further submitted that even in the alleged audio recording, which he does not admit to be a genuine one, there is no reference to any specific demand of bribe.
4. Opposing the petition, learned State counsel has submitted that although the petitioner managed to escape when the raiding party conducted a raid but his complicity is clearly evident from the audio conversion between the complainant and the petitioner.
5. Learned State counsel has today passed on a transcript of the audio recording in respect of the conversation stated to have taken place between the

petitioner and the complainant on 31.10.2022 and on 1.11.2022. The aforesaid transcript of the audio recording is taken on record.

6. This Court has considered the rival submissions.
7. A perusal of the aforesaid transcript of audio recording in respect of the conversation stated to have taken place between the petitioner and the complainant on 31.10.2022 and on 1.11.2022 does not show that any specific demand of bribe has been made by the petitioner. In view of the aforestated position, this Court is of the opinion that it is a fit case for grant of anticipatory bail.
8. The petition, as such, is accepted and it is ordered that the petitioner, in the event of his arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

25.1.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No