

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

CRM-M-57684-2022 (O&M)
Date of Decision:-10.3.2023

Amolak Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Santokhwinder S. Grewal, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by Inspector Rajpal Kaur.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner, who is an Investigating Officer, seeks grant of regular bail in respect of a case registered vide FIR No.20, dated 1.11.2022 at Police Station Vigilance Bureau Flying Squad-1, Punjab at SAS Nagar Mohali, under Sections 7 of Prevention of Corruption Act, 1988.
2. The allegations, in nutshell, are that the petitioner had demanded an amount of Rs.10,000/- from the complainant, who himself stands involved in FIR No.9, dated 18.5.2021 registered at Police Station Vigilance Bureau Amritsar, under Section 7 of Prevention of Corruption Act, 1988 and Section 120-B of Indian Penal Code, for the purpose of getting translated the FIR in English and towards expenses for going to Amritsar for the purpose of furnishing voice samples of complainant before the Forensic Science Laboratory.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that, in any case, the investigation is

complete and challan stands presented and, as such, he is not required to be detained for an indefinite period.

4. On the other hand, learned State counsel has submitted that since there is a video recording, the transcript of which has been annexed with the reply, which clearly shows that the petitioner had demanded illegal gratification, no case for grant of bail is made out. It has been informed that charges are yet to be framed and as many as 30 PWs have been cited. Learned State counsel has also informed that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions addressed before this Court.
6. It is no doubt correct that specific allegations have been levelled against the petitioner. However, the petitioner has been behind bars for a substantial period of more than 4 months. Investigation is already complete and challan stands presented. Conclusion of trial is likely to consume time inasmuch as 30 PWs have been cited. In these circumstances, 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.

10.3.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No