

CRM-M-55521-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55521-2023
Reserved on: 20.11.2023
Pronounced on: 01.12.2023

Geeta Rani ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Pankaj Garg, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
22	29.09.2023	Vigilance Bureau, Bathinda	384 IPC and Section 7 of PC Act

1. The petitioner apprehending arrest in the above captioned FIR, on the allegations of introducing main accused Sonu Goyal to the complainant-Gurpreet Kaur, wherein Sonu Goyal was constantly demanding share of her salary as bribe, had come up before this Court by filing the present petition on 31.10.2023.
2. Vide order dated 06.11.2023, this Court had granted interim bail which is continuing till date.
3. Facts of the case are being taken from the reply dated 18.11.2023, which reads as follows:-

“Statement of Mrs. Gurpreet Kaur wife of Jagjit Singh resident of House No.MCB-26-14004, Street No. 12, Near Gill Clinic, Paras Ram Nagar, Bathinda, aged, about 40years, M. No.62843-87271, stated that I am a resident of said address. My qualification is graduation. My husband had died in 2018. I have one daughter and I was looking for a job to support my family, so I was introduced with Madam Geetanjali, who is also a social worker. When I had talked to Madam Geetanjali about the job, then Madam Geetanjali introduced me with Sonu Goyal who is District Manager (Technical Expert), CMC National Urban Livelihood Mission at Municipal Corporation, Bathinda, introduced and assured me that you will get a job on contract basis at Municipal Corporation, Bathinda and you will have to work for 02 hours a day and your salary will be Rs.2000/- per month. After which Geetanjali and Sonu Goyal offered me the social profiling job on dated 13th of

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July, 2023 based on my qualifications. After a few days, Geetanjali and Sonu Goyal told me that you should come on duty from 09:00AM to 05:00PM, so I started doing my duty from 09:00AM to 05:00PM. Then on dated 19.09.2023, a salary of Rs.12,000/- was credited in my account and after which, Geetanjali called me that I (Madam Geetanjali) and Sonu Goyal have recruited you, now if you have to do a job, so you will have to pay Rs. 10,000/- per month as bribe and got Rs.3000/- as bribe from me while threatened and the rest of the conversation, talk to Sonu Goyal, what he will say, you have to do if you want to do a job. After which on asking of Madam Geetanjali, I went to the office of Sonu Goyal and the above Sonu Goyal said that we have hired you and now your salary Rs.12000/- is credited in my PNB Bank Account No. 19352413000803. If you want to do the job then you will have to pay a bribe of Rs. 10,000/- per month from your salary to me and madam Geetanjali and If you do not pay a bribe of Rs.10,000/- per month then we will hire someone else in your place then I requested that I am a widow and I have no other source of income apart from this job. If you will get Rs. 10,000/- per month then I and my daughter cannot be supported in Rs.2000/- On my repeated requests, Sonu Goyal agreed to accept a bribe of Rs. 7000/- per month. I did not want to pay bribe but in fear of losing my job, agreed to pay bribe of Rs.7000/- per month to Sonu Goyal. Today, I made a false promise to Sonu Goyal CMM NULM Municipal Corporation, Bathinda to pay a bribe of Rs.7,000/- under duress and as per arrangement, arranged Rs. 7,000/- to pay a bribe and came to your office. I have the recording of the said conversation, which I will submit to your goodself. Legal action should be taken against Madam Geetanjali, CMM NULM Municipal Corporation Abohar and Sonu Goyal, District Manager (Technical Expert), CMM National Urban Livelihood Mission Municipal Corporation, Bathinda for demanding bribe of Rs.7,000/- Per month from me. Statement is recorded, read over and explained and found to be correct. Sd/-Gurpreet Kaur, verified by Sd/- Inspector Parminderjit Kaur, Inspector Police, Vigilance Bureau Punjab, Bathinda Range Bathinda. Dated 29.09.2023."

4. Perusal of the reply reveals that the petitioner had introduced the complainant with the main accused-Sonu Goyal who was posted as District Manager (Technical Expert), CMC National Urban Livelihood Mission at Municipal Corporation Bathinda. The said Sonu Goyal assured to get a job for her on contract basis and after that the petitioner as well as Sonu Goyal asked her to join her job from 19.09.2023. Then on 19.09.2023, salary of Rs.12,000/- was credited in complainant's account and upon which the petitioner called the complainant and stated that she has to pay Rs.10,000/- per month as bribe and the petitioner took Rs.3,000/- from the complainant. Petitioner further told the complainant to meet Sonu Goyal. Thereafter the complainant went to the office of Sonu Goyal and he told the complainant that she has to pay Rs.10,000/- as bribe to him as well as to Geetanjali @ Geeta (present petitioner), otherwise they will hire someone else for this job. The complainant informed the Vigilance Officer and a trap was laid. Subsequent to which, police recovered Rs.7,000/- from Sonu Goyal. The complainant also recorded the conversation and copy of the same has been annexed

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with the reply as Annexure R-1. The said conversation is between the complainant Gurpreet Kaur and accused-Geetanjali.

5. I have gone through the telephonic conversation and it does not talk about any bribe to Geeta @ Geetanjali. It is improbable that out of Rs.12,000/- salary, the complainant would part away with Rs.10,000/-.

6. Thus, in the entirety of facts and circumstances, neither custodial interrogation is required nor it is a case of pre-trial custody. Consequently, petition is allowed and interim order dated 06.11.2023 is made absolute. It is clarified that this order shall not come in the way if the officers superior to SHO direct for further investigation to found involvement of the petitioner as well as other co-accused in similar kind of recruitment scam in connivance with each other. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

01.12.2023
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.