

CRM-M-21298-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21298-2024
Decided on: 27.05.2024

ASI Chattar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Dr. Rau P.S. Girwar, Advocate for the petitioner.

Mr. Gauravdeep S. Dhaliwal, Asst. AG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
9	20.02.2024	Vigilance Bureau, Patiala	7 of PC (Amendment) Act 2018

1. The petitioner, incarcerated upon his arrest in the FIR captioned above, had come up before this Court under Section 439 CrPC seeking regular bail.
2. On 09.05.2024, this Court asked the State to file reply and granted interim bail to the petitioner and one of the reason for granting bail was that the petitioner had voluntarily agreed to declare his and his wife’s assets, which was mentioned in para 13 of the bail order.
3. Petitioner’s counsel submits that they had handed over the affidavits to the Investigator and voluntarily complied with the order of declaring assets and it is submitted that they shall not claim such declaration as self incrimination, violation of Article 20/21 of Constitution of India or any other fundamental right/law. The investigator may verify such assets if required and proceed in accordance with law, if any anomalies found. The concerned investigator is further directed to forward one original copy of the affidavit to the petitioner’s employer within two weeks from today. He further submits that further pre-trial incarceration would cause an irreparable injustice to the petitioner and family.
4. The State’s counsel does not dispute the contention made by counsel for the petitioner, but opposes the bail by filing reply dated 15.05.2024, which is taken on

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record and copy of the same supplied to counsel for the petitioner.

5. Role of the petitioner and evidence on record is mentioned in the reply dated 15.05.2024, which reads as under:-

“ROLE OF THE PETITIONER ASI CHATTAR SINGH :
It is submitted the role of Chattar Singh, ASI of Longowal Police Station, Sangrur district, is crucial. As detailed in the statement of Binder Singh, ASI Chattar Singh allegedly demanded a bribe of Rs. 10,000 from Binder Singh to avoid implicating Harjeet Kaur, the wife of Ranjeet Singh, in a drug trafficking case. Hence, On Statement of Binder Singh, Vigilance Bureau Unit Barnala Caught ASI Chattar Singh redhanded taking bribe of Rs.10,000/- from Longowal Police Station Distt. Sangrur in presence of Government witnesses and FIR No. 09 dated 20.02.2024 registered U/s 7 PC Act, 1988 as Amended by Prevention of Corruption Act Amendment Act 2018, Police Station, Vigilance Bureau, Patiala, District Patiala against him.

2. EVIDENCE AGAINST PETITIONER ASI CHATTAR SINGH:
It is Submitted that on Dated 20/02/2024, Petitioner ASI Chattar Singh was caught red handed By Vigilance Bureau Unit, Barnala while taking bribe money of Rs. 10,000/- from Binder Singh S/o Lakha singh Resident of village Jhagon, Tehsil Sunam in presence of Government Witnesses Sh. Navdeep Singh Agriculture Development Officer, Department of Agriculture Sehna Distt. Barnala and Sh. Balwinder Singh Sub divisional engineer, PWD B&R branch Barnala. The tainted bribe money was recovered from the accused and he was sent to judicial Custody on 21/2/2024.”

6. I have gone through the record and heard counsel for the parties at length.
7. On 09.05.2025, this Court had passed a detailed order.
8. Given the facts and circumstances peculiar to the case coupled with the fact that petitioner had voluntarily declared assets and considering the amount involved, nature of allegations and also the period of custody which is approximately 2 ½ months, there would be no justification for further pre-trial incarceration.

Petition is allowed. Interim order dated 09.05.2024, is made absolute. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

27.05.2024

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Whether speaking/reasoned: Yes

Whether reportable: No.