**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.34981 of 2024
Reserved on: 13.08.2024
Pronounced on: 30.08.2024**

Jatin **...Petitioner**

Versus

State of Haryana **…Respondent**

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Bhisham Kinger, Advocate and
Mr. Udit Mehdiratta, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
62	06.07.2024	Sector-7, Panchkula	7A of Prevention of Corruption Act

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 BNSS, 2023, seeking anticipatory bail.

2. In paragraph 7 of the bail petition, the accused declares that he has no criminal antecedents.

3. Facts of the case are being taken from reply dated 08.08.2024 which reads as under:

> *"3. That the brief facts of the present case are that a complaint was made by Estate Officer, HSVP, Panchkula, wherein he had stated that he had received a complaint from Ravi Kumar son of Darshan Lal, resident of House no. 438, Sector-21, Panchkula stating that Jatin (present petitioner), Prop. of Gian Document Center that a bribe of Rs. 1,00,000/- is required for getting the needful done from the Estate Office for all the work. He further informed that Jatiin had earlier demanded Rs. 50000/- in advance and Rs. 30000/- has already been paid. Telephonic conversation between Ravi and Jatin (petitioner) was recorded, wherein Jatin can be heard asking an additional amount of Rs. 1,00,000/- for transfer of the property of Ravi. Ravi gave a complaint to Estate Officer, HSVP, Panchkula along with a recording of the said conversation. Upon checking of record of HSVP, it was found that Jatin has also made a complaint in Estate*

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> *Office, HSVP Panchkula regarding the property in question. Further it was stated that Jatin is defaming the office of Estate Officer, HSVP, Panchkula and he is extorting money from innocent people. Upon these allegations, the FIR was registered u/s 7-A of the Prevention of Corruption Act 1988."*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State opposes bail.

6. It would be appropriate to refer to Paras 4, 6, and 7 of reply, which read as follows:

> *"4. That the specific role attributed to the petitioner was that he had demanded money from the original complainant namely Ravi Kumar on the pretext of getting all the official work done from the Estate Officer, HSVP, Panchkula. Subsequently, Manav Malik, Estate Officer, HSVP, Panchkula gave the above complaint to the police authorities, which discloses a prima facie offence under section 7-A PC Act.*
>
> *6. That the vested interest of the petitioner is that he had demanded a sum of Rs. 1,00,000/- as a bribe on behalf of Estate Officer, HSVP, Panchkula from Ravi Kumar for getting official work (i.e. transfer of house no. 438, sector-21, Panchkula) done from the Estate Officer, HSVP, Panchkula i.e. Manav Malik. Thereafter, when act of the petitioner came to the knowledge of Manav Malik, Estate Officer, HSVP, Panchkula, he gave the above complaint to the police, upon which the present FIR was registered.*
>
> *7/ That during the investigation, the call detail record of mobile phone of Manav Malik i.e. 89300-01332 and mobile phone of Ravi Kumar i.e. 80916-19512 were obtained from the Cyber Cell. The CDR details of the mobile phone of the present petitioner i.e. 90412- 92648 were also obtained from Cyber Cell and the same were attached with the file. Moreover, the screenshots of whatsapp calls between the petitioner and Ravi Kumar has also been taken into police possession."*

7. Given the sentence provided in the penal provisions invoked coupled with the primafacie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

8. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a

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Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

9. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

10. This order is subject to the petitioner's complying with the following terms. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

11. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

12. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

13. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.08.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.

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