



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

SR. No.204

CRM-M-41988-2024

Date of decision:11.11.2024

Man Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Manoj Kumar Sood, Advocate for the petitioner.
Mr. Rajinder Kumar Banku, DAG, Haryana.

N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 482 of BNSS, 2023 with a prayer to grant pre-arrest bail him in FIR No.0103 dated 22.04.2024 under Sections 13 and 7 of the Prevention of Corruption Act, 1988 registered at Police Station Sadar Palwal.

2. The FIR in the present was registered on the basis of statement made by Saurabh Verma, complainant against HC Man Singh-petitioner and the same has been reproduced below:-

“Sir, It is submitted that I am Saurabh S/o SH, Ramesh Verma R/o Radhey Shyam Colony Palwal. That my cousin brother Hemant @ Bholi S/o Om Prakash was informer of the police and used to give information to police about the illegal activities. On 19.7.2023 Ganja was recovered on his information but HC Man Singh and SI Hanees got registered FIR No. 200/23 at PS Sadar, They tried to trap my brother Hemant also and forcibly took Rs.50,000/- through Pay TM and gave beating and chased away him. Sir, it is requested to you



that the money taken from my brother be recovered and given back. Note: Screen Shot is attached herewith. Dated:5.3.2023.
Thanks, Sd/- Saurabh Verma.”

3. Learned counsel for the petitioner has submitted that the petitioner was serving as Head Constable in District Police, Palwal and has been framed in a false case. He has further submitted that the petitioner had lent Rs.10,000/- and Rs.5,000/- on 15.07.2023, Rs.3,000/- on 21.07.2023, Rs.1,000/- on 26.03.2023, and Rs.2,000/- on 07.04.2023 (total amounting to Rs.21,000/-) to Hemant @ Bholo, with whom he was having friendly relations. The said Heamnt @ Bholi had returned the same amount on 19.07.2023 to the petitioner. He has further submitted that an application was moved after several months of the recovery of the contraband and the petitioner deserves to be enlarged on anticipatory bail.

4. On the other hand, learned State counsel has referred to paras 8, 9 and 10 of the status report dated 17.10.2024 filed by way of affidavit of DSP, Palwal and the same read as under:-

“8. That replies to the specific queries as ordered vide order dated 29.8.2024 is as under:-

A. The role of the petitioner

The present petitioner extorted Rs. 49600/- from the victim Hemant through paytm on 19.7.2023 under the fear of being trapped in a case.

B. Evidence Against the petitioner

There is a written complaint against the petitioner and in support of the allegations, the bank statement of the present petitioner is on record which clearly depicts receiving of Rs. 49600/- from the victim Hemant through paytm in multiple transactions on 19.7.2023 (bank statement Annexure R-1 is on record).

C. Petitioner's vested interest

The petitioner was working with CIA unit and he, in order to extract money, misused his official position and extorted Rs. 49600/- from



victim Hemant under threat of being trapped in a case. As such, the petitioner with an interest committed the crime.

D. It is submitted that the police have been trying to arrest the petitioner; however, he continues hiding at unknown locations. Further, his custodial interrogation is required to recover the extorted amount.”

9. That it is submitted that the present petitioner is named in FIR and there is an allegation against him of extortion of Rs. 50000/- from victim Hemant. The said allegation is well established by account statement (Annexure "R-1") of the present petitioner. As per said account statement, an amount of Rs. 49600/- was received from PAYTM of victim Hemant. As such, there is sufficient incriminating evidence on record against him. An amount of Rs. 49600/- is required to be recovered from him. Therefore, his custodial interrogation is essential for thorough and fair investigation of the case. Moreover, he has committed a serious crime and he is a repeated offender of similar crime. Thus, he may not be granted concession of anticipatory bail at this stage.

10. That as per record, the present petitioner is also involved in following FIR of similar nature:-

(i) FIR no. 6 dated 7.10.2020, under section 7 of PC Act, P.S SVB Faridabad. Status: On bail and the trial is pending before the Learned Trial Court of ASJ, Palwal and is fixed for 26.9.2024 for recording of prosecution evidence.”

5. Learned counsel for the State submitted that the petitioner is already facing another trial under Section 7 of the Prevention of Corruption Act and he had extorted an amount of Rs.49,600/- from Hemant @ Bholi (victim,) through Paytm by showing him the fear of a false criminal case. Thus, the present case is liable to be dismissed by this Court.

6. I have heard the learned counsel for the parties and perused the case file carefully.

7. In the present case, FIR has been registered against HC Man Singh, i.e, the petitioner on the complaint moved by Hemant, who stated that an amount of Rs.49,600/- has been taken by the petitioner from him by

extending threats to him. Even during the course of investigation, statement



of Hemant son of Om Parkash has been recorded under Section 164 Cr.P.C.
Apart from that, there is sufficient evidence with regard to the transfer of money in the account of the petitioner. Thus, no ground is made out to grant the pre-arrest bail to the petitioner.

8. In view of the above, the present petition is dismissed, being devoid of any merits.

11.11.2024
mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO