



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213 (2 cases)

1. CRM-M-43645-2024
Date of decision: 22.10.2024

Inderjit SinghPetitioner

Versus

State of PunjabRespondent

2. CRM-M-42965-2024
Date of decision: 22.10.2024

Amarjit SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate and
Mr. Ankit Kundu, Advocate
for the petitioner in CRM-M-43645-2024.

Mr. Jasdev Singh Mehndiratta, Advocate,
Ms. Navreet Kaur Dhaliwal, Advocate and
Ms. Jyotnoor Kaur Sethi, Advocate
for the petitioner in CRM-M-42965-2024.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The petitioners are seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.36 dated 04.08.2024 under Sections 7 of the Prevention of Corruption Act, 1988 (as amended by PC Amendment Act 2018) (for



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short, 'PC Act') registered at Police Station Vigilance Bureau, District Patiala.

2. Learned senior counsel for petitioners contends that petitioners, Sub Inspector Inderjit Singh and Assistant Sub Inspector Amarjit Singh have been falsely implicated in the present case regarding an alleged demand for a bribe from the complainant. While drawing the attention of this Court to the FIR in question which has been annexed as Annexure P-1, learned senior counsel submits that as per the allegations levelled, an FIR No. 56 dated 17.05.2024, was registered under Sections 379, 341, 323, 427, 506, 148, and 149 of the Indian Penal Code at P.S. Bhadson, District Patiala against the complainant in the present case; the accused in that case, Harman Singh, along with Sukhraj Singh, approached the police station to inform the petitioners about a compromise reached with complainant, Sukhdeep Chand. It is alleged that the petitioners demanded Rs.50,000/- as a bribe, claiming they had already received Rs.50,000/- earlier, but later reduced the demand to Rs. 35,000/- after negotiations.

3. While placing reliance upon Annexure P-2 which is the statement of complainant in FIR No.56, learned senior counsel for the petitioners asserts that it is a matter of record that complainant in that case Sukhdeep Chand made a statement on 12.07.2024, confirming the compromise and expressing his intention to withdraw the case; a zimni report was prepared on the same day, and the DSP approved the cancellation report on 15.07.2024 (Annexure P-3). Learned senior counsel asserts that, considering the zimni recorded on 12.07.2024,



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there was no occasion for the petitioners to demand any bribe on 13.07.2024, as alleged.

4. Learned counsel for the petitioners still further submits that their false implication in the case in hand finds credence from the fact that there was an inordinate delay of more than 22 days in lodging the FIR, as the alleged demand for the bribe was made on 13.07.2024, while the FIR was only registered on 07.08.2024 undermines the credibility of the allegations.

5. Furthermore, it is submitted by learned counsel for the petitioners that they have been falsely implicated due to the criminal antecedents of the complainant and his associates as it is a matter of record that petitioner Amarjit Singh had registered FIR No.12 dated 15.02.2024, under Sections 457 and 380 of the Indian Penal Code, based on secret information against Sukhraj Singh, who, as alleged by the complainant, accompanied him to the police station on 13.07.2024. Learned counsel assert that the petitioners have been arraigned as accused only to pressurize the police officers into not supporting the prosecution's case in FIR No.12 and the entire case against the petitioners is a result of an attempt to influence ongoing legal proceedings

6. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel, while drawing the attention of this Court to the reply dated 12.09.2024 filed by way of affidavit of Parminder Singh, PPS, Deputy Superintendent of Police, Vigilance Bureau Unit, Patiala, has



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submitted that the petitioners, who were serving as Sub Inspector (SHO) and Assistant Sub Inspector of Police Station Bhadson, are accused of accepting a bribe of Rs.50,000/- from Gurjant Singh, maternal uncle of complainant Harman Singh, on 18.05.2024. The bribe was given in exchange for not physically assaulting the complainant and his friends, who were accused in FIR No.56 dated 17.05.2024. Further, the petitioners demanded an additional Rs.50,000/- to cancel the said FIR, but eventually settled for Rs.35,000/-. Learned State counsel has asserted that the complainant has provided documentary evidence, including audio and video recordings, showing the demand and acceptance of the bribe, as well as the related conversations between the petitioners and the complainant party. In support, attention of this Court has been drawn to Annexure R-3/T of the reply. Moreover, learned State counsel has argued that given the seriousness and specific allegations against the petitioners, supported by corroborative evidence, such as the ATM withdrawal of Rs.50,000/- by Gurjant Singh, the petitioners do not deserve the extraordinary concession of anticipatory bail and their custodial interrogation is required.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. *Prima facie*, there are specific and serious allegations levelled against the petitioners for demanding and accepting bribe for not physically assaulting the complainant and his friends in FIR No.56. Additionally, there are also allegations against the petitioners who at the relevant time were posted at the police station concerned of



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demanding another Rs.50,000/- for cancelling the FIR against the complainant and his friends, with final agreement of Rs.35,000/- being reached. Furthermore and pertinently, it is claimed that there are audio and video recordings provided by the complainant to the police, which captured the alleged demand and acceptance of the bribe. In the aforementioned facts and circumstances, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioners as their custodial interrogation would be required. Both the petitions stand dismissed accordingly.

9. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

22.10.2024
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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