



221

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

CRM-M-45077-2024

Date of Decision: 14.10.2024

Tridev

...Petitioner

VS.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Ankur Lal, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.25 dated 25.07.2024 registered under Sections 7, 13(1)B read with Section 13(2) of Prevention of Corruption Act, 1988 & 308(2) of BNS, at Police Station Anti Corruption Bureau, Gurugram.

2. The FIR in the present case was registered on the basis of the statement made by Sanju Saini S/o of Ramesh Saini and the same has been reproduced below:-

“To the Inspector, SVB, Rewari. It is submitted that I Sanju Saini s/o Ramesh Saini, R/o House No.654, Saini Mohalla, Rewari. I run a ice cream kiosk. During Diwali, I set up a shop of crackers near my house, due to which the Police arrested me and seized all the crackers and registered an FIR No.316 dated 11.11.2023 at Police Station Rampura, District Rewari, in which I



am already on bail. On dated 24.07.2024 I received a call on my mobile No.9671457093 from mobile No.9466649523 of one ASI Tridev, who said that he was speaking from Police Station Rampura, he further said that if I want to save my younger brother Bunt Saini in FIR No.316, then I should get him bailed out, otherwise he would arrest him. Upon this I met ASI Tridev in his room, who asked me that in order to declare my brother as innocent in the above case an amount of Rs.40,000/- has to be paid to him as a bribe. He further asked that whatever amount I was carrying I should pay and rest could be paid later. I finding no other way out paid Rs. 10,000/- to ASI Tridev. ASI Tridev further asked me that the remaining amount of Rs.30,000/- should be given to him on next day. I have made a video recording of ASI Tridev on my phone and I am a poor man and cannot pay the amount of the bribe. I do not have any relation with ASI Tridev nor I have any transactions with him, neither I have any vengeance against him. I have come to you seeking legal action ASI Tridev and I would give therecording later on. Sd/- Sanju Saini.”

3. Learned counsel for the petitioner submits that the petitioner was working as EASI in Haryana Police and was also posted as Investigator at Police Station Rampura. He further contends that in the present case, it is evident from the allegations levelled by the complainant, the ingredients of the offence under the various provisions of the Prevention of Corruption Act are completely missing. The petitioner never demanded any money and has been falsely involved by the Anti Corruption Bureau. Learned counsel further contends that the petitioner was arrested in the present case on 25.07.2024 and after completion of the investigation, the final report under Section 173 Cr.P.C. has been presented before the competent Court. Further, no prosecution witness



has been examined so far and the conclusion of the trial may take quite a long time.

4. On the other hand, reply by way of an affidavit of Deputy Superintendent of Police, Anti Corruption Bureau, Gurugram has been filed on behalf of the respondent-State in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the petitioner was arrested on 25.07.2024 and the investigation has already completed in the present case. Apart from that, the prosecution has failed to place on record any evidence to show that the petitioner is in a position to tamper with the prosecution evidence or may flee from the process of justice.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

14.10.2024.
hemlata

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