



CRM-M-48217-2024

-1-

130

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48217-2024

Date of Decision: September 26, 2024

Vijay Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vishal Garg Narwana, Advocate,
Mr. Arishdeep, Advocate,
Mr. Khushwant Saharan, Advocate,
for the petitioner.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 482 Bhartiya Nagrik Suraksha Sanhita, 2023, has been invoked seeking the concession for the grant of anticipatory bail to the petitioner in FIR No.0012 dated 14.05.2024, under Sections 13(1)(b) and 7 of the Prevention of Corruption Act, 1988, (Sections 13(2) & 11 of the said Act and Section 120-B of the IPC were added later on), registered at Police Station Anti Corruption Bureau, District Ambala.

Learned counsel for the petitioner contends that it is a totally concocted story as the petitioner has never demanded any bribe; nor it is a case of the prosecution that he received any amount as alleged in the FIR itself. He further contends that whatever money, if any, has been paid to Angrez Singh is yet to be established and the trap laid on a complaint made by complainant-Mahinder Singh also got failed as there was no such attempt of either paying of alleged bribe money or of collecting the same. The

**CRM-M-48217-2024****-2-**

learned counsel for the petitioner undertakes that the petitioner will join investigation and cooperate with the investigating agency for furtherance of the same.

On a query put up by this Court, even learned State counsel could not make out a case with any incriminating material to assert that the petitioner was directly involved in connection with any money on account of alleged bribe demanded either by him or on his behalf by Angrej Singh.

Since the trap also failed, there is no such recovery connecting even the other police official namely Angrej Singh.

In the light of above and having considered the submissions made on behalf of the parties, this Court is of the considered view that no fruitful purpose would be served by sending the petitioner behind the bar as nothing is to be recovered except the interrogation and investigation in the case on the lines of allegations levelled in the aforesaid FIR and for that purpose, it has been undertaken on behalf of the petitioner that he is ready and willing to join investigation and cooperate with the investigating agency.

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, upon furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such



CRM-M-48217-2024

-3-

directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section

(3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically, stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

26.09.2024
adhikari

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