



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-54222-2024

Date of decision: 04.12.2024

Pritpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gursimran Singh Madaan, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the BNSS, 2023 in case FIR No.42 dated 19.09.2024 under Section 7-A of the Prevention of Corruption Act, 1988 (for short, 'PC Act'), registered at Police Station Vigilance Bureau, Patiala.

2. Reply by way of affidavit of Parminder Singh, PPS, Deputy Superintendent of Police, Vigilance Bureau Unit, Patiala, has been filed in the Registry of this Court which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. On the previous date of hearing i.e. 30.10.2024, the following order was recorded by a Coordinate Bench of this Court:-

“XXX XXX XXX XXX

Learned counsel for the petitioner contends that the petitioner, who is a Meter Reader employed through a Private Limited Company and is an outsourced employee and does not come under the definition of ‘Public



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Servant'. Learned counsel further contends that the petitioner has been implicated and the FIR has been registered on the allegations that petitioner ₹ ₹had demanded a bribe of 50,000/- and 25,000/- from the complainant for not registering a complaint against the complainant with regard to wrong installation of private meter at his residential house. He further submits that the petitioner has no other criminal antecedents and his custodial interrogation is not required in the present case, as nothing is to be recovered from him and he is ready to join investigation.

XXX XXX XXX XXX
XXX XXX XXX XXX

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

4. Learned counsel for the petitioner submits that in compliance of the above order, the petitioner has joined investigation and cooperated with the investigating agency, hence, the order be made absolute.

5. In response, learned State counsel has not disputed the factum of the petitioner having joined investigation, however, learned State counsel has vehemently opposed the prayer made by the counsel opposite for making the interim order dated 30.10.2024 absolute. It is contended that the scope of Section 7-A of the PC Act under which the FIR (Annexure P-1) in question has been registered, is not confined to public servants but also extends to private individuals. It is further submitted that the petitioner, despite being appointed by a private company, was performing public functions/duties as a Meter Reader,



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under a contract between the said company and PSPCL, a Government entity. Therefore, by virtue of his role, the petitioner would qualify as a public servant under Section 2(c) of the PC Act.

6. Learned State counsel, on instructions, has also highlighted the existence of incriminating documentary evidence against the petitioner, including an audio recording where the petitioner can be clearly heard demanding the alleged bribe from the complainant. Learned State, on instructions, has prayed for dismissal of the instant petition as the custodial interrogation of the petitioner is required in the present case.

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

8. The gravity of the allegations against the petitioner are serious and specific. As per the allegations, the petitioner *prima facie* has misused his position by demanding a bribe to illegally resolve the fine imposed on the complainant. In the light of these circumstances and the *prima facie* role attributed to the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the instant petition is hereby dismissed.

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.

04.12.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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