



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

**250**

**CRM-M-55205-2024**

**Date of decision: 12.11.2024**

Manjit Singh Minhas

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Amit Dhawan, Advocate  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Bhriugu Dutt Sharma, Advocate  
for the complainant.

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**MANJARI NEHRU KAUL, J.**

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.21 dated 27.09.2024 under Section 7 of the Prevention of Corruption Act, 1988 as amended by P.C. (Amendment) Act, 2018 (for short, 'PC Act') registered at Police Station Vigilance Bureau, Range Jalandhar, District Jalandhar.

2. Learned counsel for the petitioner submits that the petitioner, an ASI, has been falsely implicated in the instant case. It is argued that the petitioner, being the investigating officer in a case registered by the complainant, refused to conduct the investigation as per the instructions of the complainant. Consequently, the complainant being miffed, implicated the petitioner falsely in the present case.



CRM-M-55205-2024

3. It is further submitted by the learned counsel for the petitioner that the complainant had initially lodged an FIR under Section 364 etc. of the IPC, alleging that some persons including one Aman Kumar @ Sami had kidnapped his daughter. However, it was subsequently discovered that the daughter of the complainant had, in fact, married the accused, Aman Kumar, of her own free will. Learned counsel has submitted that the aforesaid fact is corroborated by the statement of the daughter of the complainant recorded under Section 164 of the Cr.P.C. Hence, aggrieved by this development, the complainant falsely implicated the petitioner in the present case as an act of reprisal.

4. Learned counsel for the petitioner, in addition, has pointed out that the complainant had previously also filed a CRWP No.9380 of 2023 in this Court, seeking protection from the accused in the FIR, which had been got registered at his instance against Aman Kumar @ Sami and others, however, therein no allegations of bribery were raised against the petitioner. It has been asserted that significantly, the complainant only registered the instant FIR alleging demand of bribe approximately one year and four months after the initial alleged demand was made by the petitioner, casting serious doubt on the authenticity of these allegations.

5. Furthermore, it has been argued by the learned counsel for the petitioner that there is no corroborative evidence to support the alleged demand for a bribe; no audio/video recording exists showing the petitioner demanding or accepting any bribe, and the only



CRM-M-55205-2024

supporting material is of one Rajan Dhawan, a close friend of the petitioner. It has also been submitted that in the aforementioned facts and circumstances, moreso when the petitioner has been in custody since 29.09.2024 and the trial is likely to take considerable time to conclude, further incarceration of the petitioner would serve no useful purpose for which he deserves to be enlarged on bail, moreso when he is not involved in any other criminal case, much less of an identical nature.

6. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, has drawn the attention of this Court to the allegations levelled in the FIR, annexed as Annexure P-1.

7. It has been further argued by learned State counsel that the petitioner, being the investigating officer in the kidnapping case concerning the daughter of the complainant, accepted Rs.30,000/- from the complainant as illegal gratification.

8. However, in response to a pointed query, learned state counsel has conceded that it was not a trap case wherein the petitioner was apprehended at the spot nor is it the case of the prosecution that there was any documentary evidence in the shape of video recording or audio recording showing the petitioner accepting the bribe in question. Learned State counsel has on further instructions not disputed the custody period of the petitioner and the petitioner having no previous criminal antecedents. It has been further submitted that investigation is likely to be concluded shortly when the challan would be presented



**CRM-M-55205-2024**

before the Trial Court concerned.

9. I have heard learned counsel for the parties and perused the material placed on record.

10. The petitioner has been in custody since 29.09.2024. As not disputed by the learned State counsel the petitioner was not apprehended at the spot while accepting the alleged bribe. The trial is not expected to conclude anytime in the near future as challan is likely to be presented in the next couple of weeks. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to admit the petitioner to bail.

11. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

12. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

**12.11.2024**

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**(MANJARI NEHRU KAUL)**

**JUDGE**

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