



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

110

CRM-M-64349-2024

Date of decision: 19.12.2024

Swarn Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kulwant Singh Dhanora, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.53 dated 28.11.2024 under Sections 7, 7(A) of the Prevention of Corruption Act, 1988 and Section 61(2) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Vigilance Bureau, Patiala Range, Patiala.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand for allegedly demanding a sum of Rs.10,000/- from the complainant on the pretext of protecting him from criminal proceedings. While drawing the attention of this Court to the FIR annexed as Annexure P-1, learned counsel submits that his false implication in the case in hand finds credence from the fact that totally vague allegations have been levelled against him without there being any evidence of the petitioner having accepted the bribe. Learned counsel submits that even otherwise, it is a



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matter of record that on the date of registration of the FIR, the petitioner was present in the High Court premises attending proceedings in CRM-M No.35592 of 2024. In support, he has drawn the attention of this Court to Annexures P-2 and P-3. Learned counsel submits that as per the allegations levelled, a complaint dated 23.11.2024 was given by one Gurnaib Singh against the present complainant, however, it was a matter of record that the matter was subsequently amicably settled between the parties vide compromise dated 24.11.2024. (Annexure P-5). It has been submitted that once the matter had been settled between the parties, there was no occasion for the petitioner to demand, much less accept, the bribe in question.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

5. Learned State counsel, on instructions, has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel submits that there are serious and specific allegations against the petitioner of having demanded a sum of Rs.10,000/- from the complainant. Learned State counsel has further apprised this Court that the entire conversation of demand between the petitioner and one Madan Lal has been recorded, and the entire matter requires thorough investigation, including the voice samples of the petitioner, for which custodial interrogation of the petitioner is necessary.

6. I have heard learned counsel for the parties and perused the



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relevant material on record.

7. 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 the tune of Rs.10,000/- on the pretext of protecting the complainant from legal action. 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.

8. 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.

19.12.2024

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(MANJARI NEHRU KAUL)
JUDGE

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