



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

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CRM-22526-2025 in/and
CRM-M-1458-2025
Date of decision: July 2nd, 2025

Gurjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harneet Singh Oberoi, Advocate
for the applicant-petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Learned counsel for the petitioner is seeking the concession of regular bail in FIR No.9 dated 09.07.2024 under Sections 7, 7(A) of The Prevention of Corruption Act read with Section 61(2) of the BNS, 2023 registered at Police Station Vigilance Bureau, Mohali. Learned counsel submits that the wife of the petitioner has recently delivered a baby boy in November 2024, and there being none in his family to take care of his wife, his main petition seeking the concession of regular bail be taken up and heard on merits.

2. On oral request of learned counsel for the petitioner, the main case is taken up today itself.

3. In compliance of order dated 27.05.2025, verification report by way of affidavit of Deputy Superintendent of Police, Vigilance Bureau, Flying Squad-I, Punjab at Mohali, has been filed in Court, which is taken on record and perused.

4. Learned counsel for the petitioner submits that the petitioner is a victim of false implication and has now been in custody since 09.07.2024. Although as per the case of the prosecution, the accused including the petitioner obtained ₹70,000/- from one Dr. Ashok, who was carrying out sex determination test illegally, however, even as per the case of the prosecution, recovery of the tainted money was not effected from the conscious possession of the petitioner but from a table, wherein allegedly all the accused including the petitioner were seated on the fateful day. Learned counsel has also contended that co-accused Raj Singh, from whose conscious possession, an amount of ₹20,000/- was allegedly recovered by the trap team, had already been extended the concession of bail vide order dated 05.11.2024 by the learned trial Court and the said order had never been challenged by the State. Still further, it has been contended that identically placed co-accused Deepak Goyal, who too was stated to be seated alongside the petitioner when the trap team allegedly caught the accused red-handed along with the tainted money, had also been extended the concession of bail. Learned counsel for the petitioner has, therefore, prayed that in the facts and circumstances and more so since investigation in the present case is complete qua the petitioner and challan also stands presented, further incarceration of the petitioner would serve no useful purpose.

5. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite has not disputed the custody period of the petitioner nor has he, on instructions, disputed that the challan stands presented qua all the accused including the petitioner. It has, however, been submitted that a supplementary challan would also

be presented shortly as sanction to prosecute the petitioner has been received only recently.

6. Learned State counsel on being pointedly questioned has also not been able to dispute that no recovery of tainted money was made from the conscious possession of the petitioner, as had been done in the case of co-accused Raj Singh, who concededly is on bail.

7. Learned State counsel, on further instructions, has fairly conceded, on instructions, that the case of the petitioner is at par with that co-accused Deepak Goyal, who is on bail. However, learned State counsel has reiterated the allegations levelled in the FIR annexed as Annexure P-1 and reproduced hereinunder and asserted that the petitioner along with the co-accused were to share the ill-gotten money, which had been obtained by them from the complainant and which was found lying on the table when the raid in question was carried out.

“Statement of Ashok Kumar s/o Sh. Charanjit Lal, Resident of Ward No. 2, Ghumayar Bāsti, Patran, Teh: Patran, District Patiala, Mobile No. 98153 95836, Stated that I am a resident of the above address and I am BAMS degree holder. I am practicing at Nirankari Bhawan, near Mahaveer Hospital, Patiala Road, Patran for almost 30 years. In 2016, Surinder Behniwal, Incharge, Prenatal Diagnostic Test, Chief Medical Officer, Sirsa, Haryana along with his team, comprising certain doctors from Punjab also, raided me at our hospital, Patran for regarding ultrasound for sex determination, but at that time, nothing was found against me. Then, Surinder Behniwal kept pressuring me to pay money and asked me to do ultrasound for sex determination, but I did not do so. Then on 05.06.2020, Surinder Behniwal, Incharge, PNDT and Dr. Ramesh Dutt raided me and a false FIR No. 157/2020 was got registered against me at PS Patran. Now on 26.03.2024, Surinder Behniwal, Incharge, PNDT, Dr. Bharat Bhushan, Incharge, PNDT and Dr. Jasveer Aulakh raided my hospital at Patran, but during this raid, nothing illegal or anything about sex determination ultrasound were found from me. There

is no ultrasound machine installed at my hospital. These three persons i.e. Surinder Behniwal, Dr. Bharat Bhushan and Dr. Jasvir Singh Aulakh started telling me that they will give me ultrasound machine and that I should start the work of sex determination and give them Rs. 70,000/- per month, but I refused them and I told them that it is not in my jurisdiction, I cannot do such an illegal thing. Then all these three people left by saying that if you don't accept our offer, then we will file another false case against you for selling narcotic drugs. Then from May, 2024 onwards, Surinder Behniwal continuously calling me on my mobile number 98153-95836 from his mobile number 98131-14204 on WhatsApp and demanded money. Surinder Behniwal called me on WhatsApp on 06-06-2024 and demanded money and he sent me a mobile number 82219-88628 on Whatsapp, whose name was Ajay. I was afraid that if I don't listen to him, he would falsely implicate me in narcotic drugs case and on the request of Surinder Behniwal, I sent Rs. 10,000/- through my Google Pay In this mobile number 82219-88628. Then on 29.06.2024, Surinder Behniwal called me on WhatsApp and got noted me another mobile number 94676-32640 and asked me to pay more money and I paid Rs. 20,000/- more through google pay to mobile number 94676-32640 given by Surinder Behniwal on 29-06-2024. Thereafter on 07.07.2024, Surinder Behniwal again called me on WhatsApp and pressured me to put more money In mobile number 82219-88628, on which I paid further Rs. 15,000/- through Google Pay in this mobile number, In this way, Surinder Behniwal has obtained a bribe of Rs. 45,000/- from my side. Now again, Surinder Behniwal is calling me on WhatsApp and is demanding another bribe of Rs. 70 thousand, which I have recorded. I can't illegally do sex determination ultrasound nor can illegally pay the bribe. Therefore, I have come to your office to take action against Surinder Behniwal, Incharge, Prenatal Diagnostic Test, Chief Medical Officer Sirsa and other doctors involved in this racket. I produce my original mobile phone, in which I have recorded and currency notes of Rs.70,000/-. Appropriate legal action be taken against Surinder Behniwal, Incharge, Prenatal Diagnostic Test, Chief Medical Officer Sirsa and other doctors involved in this racket.”

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

9. As per allegations, the petitioner was present along with the co-accused at the table, where the tainted money was lying at the relevant time. Undisputedly no recovery of any tainted money was made from the conscious possession of the petitioner. Investigation qua the petitioner is complete; the complainant and other members of the trap team are all official witnesses and hence, there can be no apprehension of the petitioner tampering with evidence or trying to intimidate/influence the witnesses.

10. In view of the above, the instant petition is allowed and the petitioner be admitted to bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

11. 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. In the light of the decision of the main petition, no further orders are required to be passed in CRM-22526-2025.

July 2nd, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No