



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

CRM-M-3102-2025

Date of Decision: 20.01.2025

Deepak

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Baljeet Beniwal, Advocate with
Mr. Sudhir Rana, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case FIR No. 23, dated 20.12.2024, under Section 7 of P.C. Act and Sections 221, 121(1), 132 of B.N.S, registered at Police Station Anti Corruption Bureau, Faridabad, District Faridabad, Haryana (Annexure P-1).

2. The FIR in the present case was registered on the basis of the statement made by Shivendra Kumar son of Sunil Kumar and the same has been reproduced below:-

“To Inspector Sir, Police Station ACB Faridabad Sir, this is the request that I, Shivendra Kumar S/o Shri Sunil Kumar R/o DD-1108, Dabua Colony near Goyal Building Material Supplier, I am a resident of Faridabad. I have been working in Home Guard since 2016. I have been removed from duty from March 2024. I went to the Home Guard office to join the duty. There I met Deepak Home

Guard who does the work of assigning duties in the office. He told me that I will give you Chaayasa duty, which will cost 2500 rupees. On 05.12.2024, Deepak gave me the letter Chaayasa duty, which is quite far from me. I again went to the Home Guard office and asked Deepak to post me in the nearby Faridabad, but he is asking for a bribe of Rs 4500 to post me on YMCA or TRW, Who called me today to give Rs. 2500 for the Chayasa duty he had assigned me earlier and Rs 4500 for changing the duty, taking a total of Rs. 7000. The recording of the bribe demand is in my phone, which I will present later. I don't have any caste based enmity with Deepak Home Guard and I don't want to pay this bribe amount. Legal action should be taken against him. Sd/- Shivendra Kumar/141 Police Proceedings. 8368041968 20.12.2024

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case, as he himself was working as a Home Guard and could not have assigned any duty to the complainant. In fact, the work of assigning duties to Home Guard officials is always done by the senior officers of the police. Learned counsel further contends that the complainant had earlier borrowed some money from the petitioner and when the petitioner asked him to return the amount, he has falsely involved the petitioner in present case. Learned counsel further contends that the petitioner never demanded any bribe from the complainant and has no criminal antecedents, whereas, the complainant himself as an accused in FIR No.96 dated 15.03.2024, under Sections 409, 420, 120-B, 201 of IPC and 13(2) of P.C., Act, Police Station Central, Faridabad, District Faridabad.

4. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner has demanded the bribe from the complainant for changing his

duty from one place to another. However, on seeing the police party, he fled from the spot, after leaving his car and the bribe money along with his purse containing his identity card, Aadhar Card, Pan Card, Driving License and SBI ATM etc. were recovered from the said car. He further contends that the allegations of the prosecution are also supported by recording of the conversation, wherein, the petitioner was making the demand of money from the complainant for changing his duty from Chhainsa to nearby area.

5. I have heard the learned counsel for the parties and perused the record carefully in the present case.

6. From a perusal of the FIR, it is evident that the specific allegations have been levelled against the petitioner and he is the main accused in the present case. Apart from that, the prosecution has also been able to collect the recording of conversations between the complainant and the petitioner, wherein, bribe has been demanded by the petitioner. Still further, after accepting the amount of bribe, the petitioner had allegedly ran away from the spot, leaving behind his car. Later on, the bribe money, his purse containing his identity card, Aadhar Card, Pan Card, Driving License and SBI ATM etc. were recovered from the car.

7. Thus, keeping in view of the facts of the present case, the custodial interrogation of the petitioner seems to be imperative and the present petition is ordered to be dismissed, accordingly.

(N.S.SHEKHAWAT)
JUDGE

20.01.2025
hitesh

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