



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

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CRM-M-6003-2025

Date of decision: 17.02.2025

Devinder Kumar Bansal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bal Krishan Mehta, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Mikhail Kad, Advocate
for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.1 dated 08.01.2025 under Section 7 of the PC Act and Section 61(2) of the BNS, 2023, registered at Police Station Vigilance Bureau, Patiala.

2. Status report by way of affidavit of Satpal Sharma, PPS, Superintendent of Police, Vigilance Bureau Unit, Sangrur, on behalf of the respondent-State, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. The gravamen of the allegations against the petitioner is that he demanded a bribe in lieu of conducting an audit report



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pertaining to development work executed during the tenure of the wife of the complainant as Sarpanch of the Gram Panchayat. As per the case of the prosecution the petitioner, in collusion with co-accused Prithvi Singh, sought and accepted and illegal gratification to influence the outcome of the audit.

4. Learned counsel for the petitioner has vehemently argued that the allegations are baseless and that the petitioner has been falsely implicated. It is submitted that there was no occasion for the petitioner to demand bribe, as the audit report in question had already been uploaded on the designated Government portal on 02.12.2024. To substantiate this contention, attention of this Court has been drawn to Annexure P-4, particularly Sr. No.25 of the statement of Panchayat, which, according to the learned counsel for the petitioner, evidences the completion of the audit concerning Gram Panchayat Maha Singh Wala. Thus, it is contended that the petitioner had already discharged his official duty and had no further role to play, negating any reason for demanding illegal gratification.

5. On being put to notice on the previous date of hearing, learned State counsel assisted by learned counsel for the complainant has vehemently opposed the prayer for grant of anticipatory bail to the petitioner. It is submitted that co-accused Prithvi Singh was apprehended red handed while accepting the bribe and admitted that the amount was received on behalf of the petitioner. Furthermore, there was an audio recording dated 08.01.2025, which further corroborates the demand made by the petitioner. It has been argued that in the said



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recording, the petitioner is clearly audible confirming with co-accused Prithvi Singh whether the bribe was received in cash and further instructing him to transfer the amount to a third party, namely Naresh.

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

7. A perusal of the allegations levelled in the FIR (Annexure P-1) reveals that the allegations against the petitioner are serious in nature and pertain to a demand for illegal gratification in the course of official duties. The case of the prosecution is not based on mere oral allegations but it is prima facie substantiated by material evidence, including the statement of the co-accused, the trap proceedings, and the audio recordings. Further, the transcript of the said recording, prima facie, suggests the involvement of the petitioner in the alleged transaction, as he is purportedly heard making an enquiry regarding the receipt of the bribe and directing its further transfer.

8. Given the nature of the offence, the purported role played by the petitioner and his direct implication as also the evidence collected against the petitioner, granting him anticipatory bail at this stage may hamper the investigation, particularly when custodial interrogation of the petitioner could be necessary for unearthing the full extent of the conspiracy and tracing the money trail.

9. Therefore, in view of the serious nature of the allegations and the incriminating material on record, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.



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10. 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.

17.02.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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