



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

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CRM-M-5949-2025

Date of decision: 07.03.2025

Rahul Narang

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.35 dated 24.12.2024 under Sections 7, 7-A of the Prevention of Corruption Act, 1988 as amended by 2018 Amendment Act, registered at Police Station Vigilance Bureau, District Ferozepur.

2. Learned senior counsel for the petitioner contends that the petitioner is merely an owner of a hotel to whom the bribe money was handed over and who then in turn transmitted to co-accused Gulab Singh and Davinder Singh, Returning Officer and Assistant Returning Officer respectively. Learned senior counsel has asserted that it is not even the case of the prosecution that the petitioner ever demanded any bribe or for that matter retained any portion of the alleged bribe which was allegedly demanded by co-accused Gulab Singh and Davinder



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Singh for helping out the complainant in getting his nomination papers clean during the Gram Panchayat elections. Learned senior counsel submits that the petitioner has no previous criminal antecedents, investigation is complete as challan stands presented, hence, the petitioner deserves the concession of bail, *moreso*, when charges are likely to be framed only on the next date of hearing before the learned Trial Court, coupled with the fact that as many as 30 witnesses have been cited by the prosecution and, therefore, the trial will take considerable time to conclude.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned senior counsel for the petitioner, on instructions from Inspector Chander Shekhar and Senior Constable Jaspal Singh, has not disputed the custody period of the petitioner who has been in custody since 24.12.2024, and the stage of trial. Learned State counsel, on further instructions, has not disputed the factual aspect of the role attributed to the petitioner and has, on further instructions, not refuted that the demand of extraneous consideration was not made by the petitioner but had been made by the prime accused i.e. Gulab Singh (Returning Officer) and Davinder Singh (Assistant Returning Officer).

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

5. The petitioner has been in custody since 24.12.2024; he is not stated to be involved in any other criminal case. The trial is likely to take considerable time to conclude as charges have not yet been framed

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coupled with the fact that 30 witnesses have been cited by the prosecution. No recovery of any bribe money was made from the petitioner. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. 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.

7. 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.

07.03.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

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