



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

220

CRM-M-7812-2025

Date of decision: May 19th, 2025

Hawaldar Tarsem Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

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

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail in FIR No.4 dated 22.01.2025 under Sections 7 of The Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, District Bathinda.

2. There are serious and grave allegations levelled against the petitioner, who is a serving police official, involving demand and acceptance of illegal gratification in connection with misuse of official position.

3. On the previous date of hearing, this Court had directed the petitioner to join the investigation, after taking note of the submissions made on his behalf, which were as follow:

“Learned counsel for the petitioner contends that there is no evidence to suggest that the petitioner ever demanded or accepted any money from the complainant. It is the co-accused who was apprehended by laying a trap and the bribe money was

recovered from him. He has further submitted that the petitioner is ready to provide his voice samples to the Investigating Agency.”

4. Pursuant to the said order, learned counsel for the petitioner has submitted that the petitioner has since joined the investigation and cooperated with the investigating agency. A prayer has, therefore, been made to make the interim order absolute.

5. However, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. He has placed on record reply by way of affidavit dated 16.05.2025 of Mr. Kulwant Singh, Deputy Superintendent of Police, Vigilance Bureau Punjab, Bathinda Range Bathinda. Copy supplied to the counsel opposite. Learned State counsel has drawn the attention of this Court to the FSL report annexed as Annexure R-3. It has been submitted that the voice samples of the petitioner were obtained during the course of investigation. Learned State counsel has submitted that the forensic report (Annexure R-3) confirms that the voice of the petitioner matches the voice captured in the audio recording, where the demand for illegal gratification is clearly discernible. It has been further submitted that the petitioner, who is a serving police official, evidently abused his official position by pressurizing the complainant to pay a bribe under the pretext of facilitating a favourable outcome in pending departmental proceedings. Learned counsel for the State has submitted that a perusal of the FIR further reveals that the petitioner had demanded an amount of ₹25,000/- for himself and ₹40,000/- for his superior officer from the complainant. It had been assured that in lieu of the illegal gratification, the punishment of permanent forfeiture of two years of service to the

complainant would be converted to one of temporary forfeiture.

6. It has been submitted that although the petitioner was not apprehended at the spot during the trap, his co-accused Hawaldar Nachhatar Singh, acting on his behalf, was caught red-handed while accepting the bribe amount of ₹50,000/-. The complainant, had earlier recorded the conversation with the petitioner, which formed the basis for laying the trap. It has been, therefore, argued that since the report received from the FSL lends direct corroboration to the role of the petitioner, his prayer for anticipatory bail be declined as his custodial interrogation is required.

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

8. The factual narrative emerging from the FIR (Annexure P-1) is deeply disturbing. A uniformed officer of the police force, entrusted with maintaining discipline and upholding the law, has allegedly abused his position to extort money from a subordinate under the threat of adverse departmental consequences. The conduct attributed to the petitioner is not only criminal in nature but also strikes at the core of the institutional integrity of the police establishment. The allegations reflect blatant abuse of authority and moral degeneration in public service.

9. This Court is, therefore, of the considered view that the custodial interrogation of the petitioner is essential to probe the wider conspiracy, identify possible involvement of other officials, and recover any further incriminating material. The gravity of the offence, the official position of the accused, the corroborative scientific evidence, and the apprehension of tampering with the investigation, all weigh

heavily against the grant of anticipatory bail to the petitioner.

10. In the light of the serious allegations involving corruption, abuse of official power by a serving police official, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

11. Accordingly, the instant petition stands dismissed.

12. 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.

May 19th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes