



215

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

CRM-M-10980-2025

Date of Decision:25.03.2025

HARISH KUMAR

...PETITIONER

VS.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

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

Present : Mr. Lokendra Singh, Advocate with
Mr. Jagdeep Singh Rana, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Vipul Sachdeva, Advocate
for the complainant.

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 case FIR No.239, dated 11.07.2024, under Sections 120-B, 409, 420, 467, 468 & 471 of IPC 1860 & Section 7 and 13(1)(b) of the Prevention of Corruption Act, 1988 registered at Police Station City Sohna, District Gurugram (Annexure P-1).

2. Learned counsel for the petitioner vehemently argued that the petitioner has not been named in the FIR and has been implicated solely on the basis of the disclosure statement suffered by certain accused in the present case.



However, such statements made in police custody are inadmissible in evidence. Apart from the disclosure statement, there is no other tangible or credible evidence, which could raise a finger on the role of the petitioner. Even the petitioner had no concern either with the complainant or with the accused in the present case and has been wrongly shown as an employee of M/s Saint Patrick Realty. He further contends that in the present case, the allegations were primarily levelled against Akbar, Sherjang, Sher Mohammad, Sarfaraj and Balwan Singh etc. who have already been granted the concession of anticipatory bail by this Court and the said orders have already been upheld by the Hon'ble Supreme Court. He further contends that even it has been wrongly alleged that the petitioner had given a sum of Rs.50,000/- to Rajender Singh, Patwari and the Rajender Singh, Patwari was arrested in the present case. However, Rajender Singh has already been granted the concession of bail by this Court on 07.01.2025. Since the case is based on documentary evidence, the custodial interrogation of the petitioner may not be required.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a main person, who had paid the amount of bribe on behalf of M/s Saint Patrick Realty. Thus, keeping in view of the gravity of the case, the petition deserves to be dismissed. He has also filed a status report by way of affidavit of Assistant Commissioner of Police, Sadar, Gurugram and the same is taken on record.

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



5. In the present case, the allegations were levelled against the Akbar, Sherjang, Sher Mohammad, Sarfaraj and Balwan Singh etc., who have already been granted the concession of anticipatory bail by this Court. Moreover, it is alleged against the petitioner that being an employee of M/s Saint Patrick Realty, he had paid a bribe of Rs.50,000/- to Rajender Patwari and Rajender Patwari has also been admitted to bail by this Court. Apparently, the case is based on documentary evidence, which has already been collected by the police. Thus, the further custody of the petitioner may not be required at this stage.

6. Thus, without commenting any further, the petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and they shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

25.03.2025*vipin***(N.S. SHEKHAWAT)
JUDGE**

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