

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:078303



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CRM-M-17706-2024 (O&M)

Date of decision: 03.07.2025

Hari Om

....Petitioner

V/s

Centra Bureau of Investigation

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Navkiran Singh, Advocate for the petitioner.

Mr. Gagandeep Wasu, Special Public Prosecutor
for the respondent-CBI.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 439 of Cr.P.C for grant of regular bail to the petitioner in case bearing FIR No.RC0052024A0005 dated 15.02.2024 registered for the offences punishable under Section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018) read with Section 120-B IPC at Police Station CBI, ACB, Chandigarh.

2. The case set up in the RC (Regular Case) in question (as set out by the petitioner in the present petition) is as follows:-

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Facts of the Complaint

In his complaint Sh. Govinder Kumar r/o Hoshiarpur has informed that his son had applied for a fresh passport for his minor daughter Ms. Misha Khullar (6 months old) on 23.10.2023 with valid appointment. His son had paid all dues

and attached all valid documents which are necessary at the time of appointment at RPO Hoshiarpur. Police of PS City has made police verification report and dispatched the all formalities to RPO office Jalandhar. File no. is JA 1068728753023. After so many days when passport was not issued under due course, then they checked the status of application through net. The web net was showing that the file is under review at RPO Jalandhar. Then he met with Harl Om, APO Jalandhar in December 2023. He cleared his doubt about birth certificate of minor and assured that the passport will reach at his address within 10 days. Apart from the said passport, he again met APO Hari Om at Jalandhar with regard to passport of his grandson Araav Bhalla in the month of February, 2024, which was also pending with RPO, Jalandhar. Thon APO Hari Om demanded Rs. 25000/- for issuance of each passport. The passport of his grandson was issued later on. When the complainant met APO Harl Om a few days back to pursue the issuance of passport of his granddaughter, he had to pay Hari Om Rs.25000/- for the passport of his grandson Araav Bhalla. APO Hari Om reiterated his demand that Rs.25000/- is also required to be paid for issuance of passport of his granddaughter Misha Khullar. APO Hari Om also informed him that the whole game is running under the direction of Mr. Anup (RPO) & Sanjay Srivastav APO. Both the APOs collect the money and share it with RPO Anup. Passport application of his granddaughter is pending more than 100 days.

APO Hari Om is demanding bribe amount of Rs. 25000/- for clearance/issue passport of his granddaughter Misha Khullar. The complainant does not want to give any bribe to suspect persons and as such, has requested to take strict legal action against APO Hari Om and other involved officials/persons.

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3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the RC (Regular Case) in question. Learned counsel for the petitioner has further iterated that the petitioner had no occasion to deal with the work in question for which

bribe money was allegedly given. Learned counsel for the petitioner has further submitted that the petitioner was posted at Passport Seva Kendra and not at the main office where the work in question was required to be taken. Learned counsel for the petitioner has further argued that the petitioner is suffering from chronic Renal failure Stage V and is awaiting kidney transplantation. Learned counsel for the petitioner has further argued that two co-accused in the RC in question, who had actually received the money, namely, Anup Singh and Sanjay Kumar Srivastava have been extended the concession of regular bail vide order dated 09.12.2025 passed by this Court in **CRM-M-39015-2024** and **CRM-M-40849-2024**. Learned counsel for the petitioner has further argued that the petitioner was earlier extended the concession of interim bail on the medical grounds on 26.04.2024, which has been extended from time to time. Thus, regular bail is prayed for.

4. *Per contra*, learned counsel appearing for the respondent-CBI has opposed the plea for grant of regular bail by raising submissions in tandem with the reply dated 22.04.2024 filed by the respondent-CBI. Learned counsel has further argued that, in case the petitioner is released on bail, he might abscond from the process of justice.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 16.02.2024 & thereafter investigation was carried out and challan was presented on 28.03.2024. It is not in dispute that wherein total 32 prosecution witnesses have been cited, out of which 2 only have been examined till date. It is, thus, indubitable

that conclusion of trial will take its own time. The rival contentions raised by the counsel give rise to the debatable issues which are essentially required to be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence. Taking into consideration the factum of two other co-accused having been granted the concession of regular bail vide order dated 09.12.2025 passed in **CRM-M-39015-2024** and **CRM-M-40849-2024** as well as the absence of any material to indicate that the petitioner has ever misused the concession of interim regular bail extended to him on medical grounds since April, 2024 which is enuring till date, this court finds the petitioner to be entitled for enlargement on bail. Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. *Ergo*, the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned trial Court/CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial Court.

- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned trial Court/CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

July 03, 2025
Naveen

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

