

2025:PHHC:131616



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

208(7 cases)+209

Date of decision: 22.09.2025

CRM-M-19672-2025

MOHIT SHARMA V/S STATE OF PUNJAB

CRM-M-19782-2025

SURESH KUMAR GOYAL AND ANOTHER V/S STATE OF PUNJAB

CRM-M-19783-2025

KIMAT RAI V/S STATE OF PUNJAB

CRM-M-19939-2025

SUKHDEEP SINGH V/S STATE OF PUNJAB TEJINDER

CRM-M-19972-2025

MADAN LAL V/S STATE OF PUNJAB

CRM-M-20035-2025

KARAM CHAND V/S STATE OF PUNJAB

CRM-M-20507-2025

RAJPINDER SINGH V/S STATE OF PUNJAB

CRM-M-20595-2025

CHAMELI DEVI V/S STATE OF PUNJAB

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. R.S.Rai, Sr. Advocate with
Mr. Ribhav Singla, Advocate,
for the petitioners in CRM-M-19782-2025,
CRM-M-19783-2025 and CRM-M-20595-2025.

Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate and
Mr. Nitin Gupta, Advocate,
for the petitioner in CRM-M-19672-2025.

Mr. Keerat Dhillon, Advocate,
Mr. Jaiveer Singh, Advocate,
for the petitioners in CRM-M-19972-2025 and
CRM-M-20507-2025.

Mr. Ishan Gupta, Advocate,
for the petitioner in CRM-M-20035-2025.

Mr. Tejinder Pal Singh, Advocate,
for the petitioner in CRM-M-19939-2025.

Mr. M.S.Bajwa, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. All these petitions have been filed for grant of anticipatory bail to the petitioners in case FIR No.14 dated 05.03.2025 under Sections 7-A, 13(1) A read with Section 13(2) of The Prevention of Corruption Act, 1988 (PC Act) and Sections 167 and 120-B of the Indian Penal Code, 1860, registered at Police Station Vigilance Bureau, Patiala.

2. On 07.07.2025, this Court had passed the following order:-

“Petitioners are seeking the concession of anticipatory bail in FIR No.14 dated 05.03.2025 under Sections 7-A, 13(1) A read with Section 13(2) of The Prevention of Corruption Act, 1988 (PC Act) and Sections 167 and 120-B of the Indian Penal Code, 1860, registered at Police Station Vigilance Bureau, Patiala.

2. Learned counsel for petitioners, inter alia, contend that the petitioners have been falsely implicated in the instant case, which arises out of a complaint allegedly driven by political vendetta. The complaint, filed by a sitting Member of the Legislative Assembly, is said to have been lodged with an ulterior motive and in clear deviation from the settled legal and procedural safeguards. Learned counsel have drawn the attention of this Court to the FIR annexed as Annexure P-1, asserting that it fails to disclose the essential ingredients of the offence alleged. In particular, it has been asserted that the FIR does not make out a case under the PC Act, as there is no material, either in the FIR or in the investigation conducted so far, from which it can be discerned that any demand for or acceptance of illegal gratification-both of which are sine qua non for establishing an offence under the said Act, is made out.

3. Learned senior counsel appearing for petitioner-Mohit Sharma has submitted that the petitioner assumed charge of his official position only on 07.07.2022,

subsequent to the issuance of the impugned No Dues Certificate dated 07.06.2022. Therefore, he had no role in the original issuance of the certificate. As per the learned senior counsel, his involvement was limited to a routine and ministerial extension of the validity of an already issued certificate. This certificate, it is further submitted, had been issued by his predecessor after due compliance with procedural requirements, including payment of necessary charges and verification of documents.

4. Learned counsel appearing for petitioner-Sukhdeep Singh has urged that his role within the setup was limited solely to field verification of the concerned site. He neither had any authority nor was he involved in the issuance or approval of No Dues Certificates. As such, he cannot be held accountable for decisions or actions that were beyond the scope of his official duties.

5. Learned counsel appearing for petitioner-Rajpinder Singh submits that he served as the Assistant Municipal Engineer at the relevant time; his role was restricted to technical matters, such as approval of site plans, and he also had no involvement in the issuance of No Dues Certificates. These certificates, as per established procedure, were processed by the Building Clerk and approved by the Executive Officer. There is no allegation or material on record, as per the learned counsel, that implicates him in any procedural lapse or criminal misconduct in relation to the allegations levelled in the instant case.

6. Learned counsel appearing for petitioner-Karam Chand has contended there is a complete absence of any specific allegation or role attributed to him in either the FIR or the status report filed by the State. No overt act, nor any participation in the alleged conspiracy has been imputed to him. It has been asserted that the petitioner has been arrayed as an accused without any factual or legal basis.

7. Learned counsel appearing for petitioner-Madan Lal has submitted that he is a private individual and bona fide owner of the plot, who had applied for issuance of a No Dues Certificate following the execution of a registered sale deed. It is submitted that the said plot does not fall within the list of unauthorized colonies as notified by the Municipal Council, Sangrur. All requisite documents were duly submitted and prescribed charges were paid at the time of the application. The issuance of the certificate was carried out by the competent municipal authority in the normal course of administrative procedure and not at the behest of the petitioner. Further, there is no allegation of inducement, misrepresentation or concealment of material facts against him.

8. Learned counsel appearing for petitioners Kimat Rai, Suresh Kumar Goyal, Ram Gopal Goyal @ Ram Kumar Goyal and Chameli Devi has submitted that they all are private individuals; the respective plots owned or dealt with by them do not fall under the list of unauthorized colonies notified by the Municipal Council, Sangrur. The No Dues Certificates in their cases were issued only after payment of requisite municipal charges and upon due verification of documents that were duly available on record. No element of fraud or criminality can be inferred from the issuance of these certificates in their favour.

9. Learned counsel for all the petitioners have, therefore, submitted that in the aforementioned facts and circumstances more so when the entire case against the petitioners is allegedly based on documentary evidence, custodial interrogation of the petitioners would serve no useful purpose as no recovery is due to be effected from them. Learned counsel further contend that all the petitioners are ready to join investigation and cooperate with the investigating agency.

10. Per contra, learned State counsel while opposing the prayer made by the counsel for the petitioners has not been able to dispute that the allegations against the petitioners rest entirely upon documentary evidence, which has already been collected by the investigating agency. However, it has been contended that the same requires scrutiny in the course of investigation, and the petitioners are required for investigation so as to assist in verifying the authenticity of the in question.

11. Adjourned to 22.09.2025.

12. Meanwhile, the petitioners are directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 482(2) BNSS/438(2) Cr.P.C.

13. Copy of this order be placed on the file of each of the connected cases.”

3. Learned counsel submits that in pursuance of the aforementioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. They further submit that in case the investigating agency requires the petitioners to appear,

they shall make themselves available without demur.

4. Learned State counsel on instructions from SI Gurlabh Singh affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. They also submit that at this stage, the petitioners are not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the cases, anticipatory bail petitions filed by the petitioners are allowed and the order dated 07.07.2025 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

6. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

7. Photocopy of this order be placed on the connected file(s).

22.09.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No