



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

141

CRM-M-21929-2025**Date of decision: April 28, 2025**

MOHIT HURIA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nand Lal Sammi, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.15 dated 07.04.2025 under Sections 7 and 7(A) of PC Act and Sections 318(4)A and 61(2) of BNS, 2023, registered at Police Station Vigilance Bureau Range, District Jalandhar.

2. Learned counsel for the petitioner contends that the FIR (Annexure P-1) primarily implicates Vijay Kumar, from whom Rs.2,000/- was allegedly recovered at the spot. The petitioner was not present at the scene of the incident, and therefore, no recovery was effected from him. It is argued that there are only vague and general allegations against the petitioner, with no direct imputation of demand or acceptance of bribe. It is further submitted that both the petitioner and Vijay Kumar are private individuals and not Government employees; thus, the provisions of Prevention of Corruption Act, 1988 would not be attracted. It is further argued that since no recovery is attributable to the petitioner, and considering the fundamental right to personal liberty under Article 21 of the

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Constitution of India, the petitioner is entitled to the concession of anticipatory bail, moreso when he is willing to join investigation and cooperate with the investigating agency.

3. I have heard learned counsel for the petitioner and perused the relevant material placed on record.

4. The allegations, as borne out from the material placed on record as well as the FIR, which has been annexed as Annexure P-1, disclose that the Vigilance Bureau acting on secret information, detected a network of private agents operating near the RTA Office, Jalandhar. It was revealed that 'Mohit Associates' run by the petitioner and his father, co-accused Vijay Kumar was engaged in the business of preparing driving licenses in connivance with officials of the RTA, circumventing mandatory tests and charging amount in excess of the prescribed Government fee.

5. A trap was laid, wherein complainant Surinder Pal was instructed to hand over tainted currency notes, if excess charges were demanded. During the trap proceedings, co-accused Vijay Kumar demanded Rs.2,000/- for preparing a driving license against the prescribed Government fee of Rs.1,385/-, and was apprehended on the spot by the Vigilance team.

6. Further, documentary evidence including CCTV footage purportedly retrieved by the Vigilance Bureau from the scene of crime *prima facie* supports the involvement of the accused in the illegal activities. Significantly, the agency 'Mohit Associates' stands registered in the name of the petitioner himself. Moreover, it is not the first time that the petitioner is facing prosecution in a case under the Prevention of Corruption Act. The

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petitioner was earlier also booked in a case under the PC Act in the year 2022, wherein he is currently on bail. His continuous involvement in similar illegal activities, despite being on bail, strongly suggests a propensity to indulge in offences of like nature.

7. It is thus evident that the petitioner, despite being aware of pending criminal proceedings, chose to engage yet again in acts amounting to corruption and deceit. The allegations against the petitioner are grave and serious, disclosing a pattern of habitual criminal conduct.

8. In view of the nature of accusations against the petitioner, the material collected during the investigation and the previous criminal antecedents of the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner as his custodial interrogation would be necessitated.

9. Accordingly, the instant petition stands dismissed.

10. 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.

April 28, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*