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

CRM-M-23228-2025

Date of Decision:06.05.2025

PAWAN KUMAR

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

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

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

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.04 dated 24.02.2025, registered under Sections 7 of Prevention of Corruption Act, 1988 (later on Section 13(1)(b) & 13(2) of Prevention of Corruption Act, 1988 were added), Police Station ACB, Karnal, District Anti Corruption Bureau.

2. Learned counsel for the petitioner submits that in the present case, the tainted money was not recovered from the petitioner, rather the recovery was made from a motorcycle, which was parked outside the Police Post and the place of alleged recovery was accessible to the general public. He further contends that even there was no occasion for the petitioner to demand or accept any bribe from the complainant as the complaint dated 23.02.2025, which was



allegedly submitted against the complainant, had already been settled between the parties. Now, after the conclusion of the investigation, the challan has already been presented against the petitioner. The petitioner was arrested in the present case on 24.02.2025 and even the trial has not formally started against the petitioner. Thus, the conclusion of the trial may take quite a long time.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. In the present case, the petitioner was arrested on 24.02.2025 and after completion of investigation, final report under Section 173 Cr.P.C. has already been presented against him. Now, the next date of hearing before the trial Court is fixed on 08.05.2025 for framing of charge and trial has not even started against him. Further, the prosecution has not been able to place on record any material to show that the petitioner is in a position to influence the witnesses of the prosecution or may abscond from the process of law.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

06.05.2025
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(N.S. SHEKHAWAT)
JUDGE

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