



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

CRM-M-24709-2025

Date of decision: 7th May, 2025

Jaswinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashok K. Singla, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS in case FIR No.16 dated 08.03.2025 under Section 7 of the Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act, 2018 (hereinafter referred to as, 'the PC Act') registered at Police Station Vigilance Bureau, Patiala.

2. The FIR in question (Annexure P-1) came into being following an online complaint launched with the Vigilance Bureau, Patiala Range, alleging that the petitioner, while discharging his duties as Junior Engineer (JE), demanded and accepted illegal gratification to perform a task that fell squarely within the ambit of his official responsibilities. The complainant, Justin Singh, sought to transfer electric motor connections, originally in the name of his deceased

grandmother, to his father's name. Despite all requisite documents being submitted to the concerned office, the complainant was allegedly compelled to obtain a report from the petitioner.

3. It is further alleged in the FIR that the petitioner not only redirected the complainant to another JE to have the preliminary report written, but thereafter demanded a bribe of ₹1000/- in exchange for signing off on the documents. A friend of the complainant, who accompanied him during this transaction, is stated to have audio recorded the conversation where the demand and acceptance of bribe are allegedly audible. The said recording, along with its transcript, was submitted to the authorities and formed a crucial piece of the preliminary investigation conducted by the Vigilance Bureau, which ultimately led to the registration of the FIR.

4. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and that no credible or cogent material exists to establish the alleged demand or acceptance of bribe. He further argued that the audio recording relied upon by the prosecution is doctored, and that its admissibility and authenticity are matters of trial. It is also submitted that the complaint was lodged belatedly, nearly a month after the alleged incident, and that the petitioner has no previous criminal antecedents. Lastly, it is contended that no recovery is to be affected from the petitioner and thus, his custodial interrogation would not be warranted. In the circumstances, learned counsel submits that the petitioner be extended the concession of

anticipatory bail, more so when he is willing to join investigation and cooperate with the Investigating Agency.

5. Notice of motion.

6. Mr. H.S. Deol, Sr. Deputy Advocate General, Punjab who is present in Court, accepts notice on behalf of the State.

7. Learned State counsel, on instructions, has vehemently opposed the prayer made by the counsel opposite. He has emphasized the gravity of the offence and the conduct of the petitioner, who, as a public servant, has not only betrayed public trust, but also obstructed the legitimate processing of a routine application for personal gain. It is submitted, on instructions, that the petitioner can be clearly heard in the audio recording demanding and accepting the bribe, and that these circumstances fulfill the essential ingredients of Section 7 of the PC Act. The delay in lodging the complaint, as per the learned State counsel, is explained by the due verification of the facts by the Vigilance Bureau prior to registration of the FIR.

8. I have heard learned counsel for the parties and perused the relevant material on record.

9. Prima facie, the allegations against the petitioner are serious and carry significant weight. The petitioner, being a Government official entrusted with public duty, allegedly abused his official position for personal gain by demanding a bribe to perform an administrative function – signing a file pertaining to a routine electric connection transfer application.

10. Such conduct, if proved, strikes at the very root of public administration and erodes the faith of the common man in the fairness of Government institutions. The demand for ₹1000/- – however modest in quantum – is not to be seen in isolation, but must be viewed in light of the position held by the accused and the context of the demand. The act of coercing an ordinary citizen to pay a bribe for availing a rightful service amounts to gross misconduct.

11. Further, the contention that the audio recording is doctored cannot be entertained at this stage. The preliminary investigation indicates that the recording has been considered alongside other corroborative evidence. The authenticity and evidentiary value of the recording will, of course, be subject to scrutiny during trial. However, at this stage, the material placed on record does disclose a prima facie case under Section 7 of the PC Act.

12. The mere absence of prior criminal antecedents or the argument that custodial interrogation may not be essential is insufficient to override the broader public interest involved in such cases. Grant of bail at this stage may not only hamper the ongoing investigation, but may also send an inappropriate signal in cases involving abuse of public office for pecuniary advantage. This Court, therefore, concurs with the submissions of the learned State counsel for dismissal of the instant petition as the custodial interrogation of the petitioner would be warranted.

13. In view of the above, and considering the gravity of the offence, the nature of the material on record, and the position of the petitioner as a public servant, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The petition stands dismissed. 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.

(MANJARI NEHRU KAUL)
JUDGE

May 7, 2025
rps

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