



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

205

CRM-M-26543-2025

Date of decision: July 22nd, 2025

Surender Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. H.S. Deol, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

This is a second petition filed by the petitioner seeking the concession of regular bail in FIR No.9 dated 09.07.2024 registered under Sections 7/7-A of The Prevention of Corruption Act, 1988 and Section 61(2) of the BNS, 2023, at Police Station Vigilance Bureau, Phase-1, District S.A.S. Nagar.

2. Learned counsel for the petitioner submits that the petitioner is employed as a driver under the National Health Mission, Government of Haryana, and has been falsely implicated in the present case. It has been submitted that the petitioner has been in custody since 09.07.2024. Further, the petitioner's role is confined solely to operating the official vehicle used by the raiding team comprising Senior Medical officials and that he had no role in the alleged demand or acceptance of illegal gratification.

3. It has still further been contended that there is no recovery of tainted money from the petitioner, and the sum of ₹70,000/- allegedly recovered during the trap proceedings was not recovered from the conscious possession of the petitioner. Still further, the prosecution has failed to produce any digital or documentary evidence, such as Call Detail Records, subscriber ownership details, or any UPI transaction records, that would connect the petitioner to the alleged act of bribery or even remotely show his involvement in any conspiracy.

4. It has also been further submitted that there is no material on record to support the existence of a criminal conspiracy as contemplated under Section 61(2) of the BNS. It is urged that the petitioner has been arrayed as an accused solely due to his physical presence with the team on the date of the incident, without any evidence of involvement in planning or execution of the alleged offence.

5. Learned counsel has further pointed out that the investigation in the matter is complete, the challan has already been presented, and, therefore, the petitioner is no longer required for custodial interrogation. It has also been submitted that co-accused Gurjit Singh and Deepak Goyal, who are stated to be identically placed, have already been granted the benefit of regular bail by this Court.

6. On being asked, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents.

7. A prayer has, therefore, been made in the aforementioned facts and circumstances to accept the prayer of the petitioner and enlarge him on bail, more so when the possibility of the trial concluding in the near future does not arise.

8. *Per contra*, learned State counsel has opposed the prayer and submissions made by the counsel opposite. It has been further submitted by the learned State counsel, on instructions, that the allegations in the present FIR (Annexure P-2) pertain to the demand and acceptance of illegal gratification of ₹70,000/- from a private medical practitioner during a trap operation conducted by the Vigilance Bureau. It has been alleged that the petitioner was part of a team that had conducted repeated raids on the hospital of the complainant and had been coercing him into paying monthly bribes under the threat of registration of false cases.

9. However, learned State counsel, on instructions, fairly does not dispute the fact that the petitioner has been in custody since 09.07.2024, that no recovery of tainted currency was effected from his conscious possession, that the challan has already been presented, and that co-accused similarly situated, namely, Gurjeet Singh and Deepak Goyal, have been enlarged on bail by this Court.

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

11. It is evident that the petitioner's role, as alleged, is limited to being a driver of the official vehicle used by the raiding team. There is no specific allegation attributing to him any role in the demand or acceptance of the bribe amount. Furthermore, no recovery has been effected from him, and the prosecution has not placed on record any digital or documentary evidence to connect him with the alleged conspiracy or the act of bribe.

12. Challan has already been presented, however, the possibility of the trial concluding in the near future does not arise as

charges are yet to be framed. The petitioner is also not stated to be involved in any other criminal case.

13. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed the petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. 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.

14. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

July 22nd, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No