

CRM-M-31892-2025
Date of Decision:30.07.2025

...Petitioner

VS.

...Respondent

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

Present : Mr. Harshit Sethi, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.13 dated 21.05.2025 under Sections 13(2) read with 13(1)(a) of Prevention of Corruption Act, 1988 and Sections 409, 465, 466, 467, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Vigilance Bureau, District Bathinda (Annexure P-2).

2. On the last date of hearing, a Co-ordinate Bench of this Court had noticed the following contentions raised by learned counsel for the petitioner:-

“ Learned counsel for the petitioner inter alia submits that the petitioner, employed as a Stenographer with the Regional transport Authority, Bathinda, has been falsely implicated in the FIR in question. It is alleged that the petitioner, in connivance with co-accused Ashok Kumar, prepared fabricated documents and failed to properly verify the documents attached to the relevant file. However, learned counsel has submitted that even assuming, though not admitted, that the petitioner did not carry out the

requisite verification, no criminal offence can be said to be made out against him.

While drawing the attention of this Court to the FIR in question (Annexure P-2), learned counsel has further submitted that the allegation against the petitioner lacks substance. The petitioner joined investigation as early as on 28.11.2023 in the present FIR, and upon thorough inquiry, no incriminating material was found against him. In fact, it has been asserted that the matter stood settled at that stage. Despite this, and inadvertent delay of approximately three years, the petitioner has now been falsely implicated in the present case.

It is further submitted that as a matter of official procedure, a backlog entry cannot be made if the registration number in question already exists in the records. In the instant case, learned counsel has asserted that the petitioner applied the backlog entry only after a vacancy became available, thereby following due procedure.”

3. Learned counsel for the petitioner contends that in the present case, Ashok Kumar, the main accused was also arrested and has been granted the concession of bail by the trial Court.

4. On the other hand, reply by way of an affidavit of Deputy Superintendent of Police, Vigilance Bureau Punjab, Unit Bathinda has been filed on behalf of the respondent-State in Court today and the same is taken on record. Learned State counsel has opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had colluded with the main accused, namely, Ashok Kumar and had issued a registration certificate to a vehicle, which was stolen in U.T. However, he does not dispute the fact that Ashok Kumar has been granted the concession of bail by the trial Court.

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

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS. The present petitioner shall also abide by 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 IO/Arresting Officer, 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.

(viii) The petitioner shall report every 1st Monday of English calender month before the concerned SHO till the conclusion of

the trial and SHO shall mark his presence by making an entry in the Rojnamcha.

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.

30.07.2025

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(N.S.SHEKHAWAT)
JUDGE

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