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

CRM-M-35231-2025

Date of Decision: 21.08.2025

Jasminder Singh

...Petitioner

vs.

State of U.T., Chandigarh

...Respondent

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

Present : Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate
Mr. Akhil Godara, Advocate
Ms. Deepshika Arora, Advocate and
Ms. Malini Singh, Advocate
for the petitioner.

Mr. Manish Bansal, P.P. for U.T., Chandigarh and
Mr. Alankrit Bhardwaj, Addl. P.P. for U.T., Chandigarh.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.45 dated 24.03.2025 registered under Sections 255, 256, 337, 319(2), 336(3), 338, 340(2) and 61(2) of BNS, Section 13 of Prevention of Corruption Act and Sections 25, 54, 59 of Arms Act, (after investigation qua petitioner deleted offences under Sections 239, 337, 336(3), 340(2) of BNS and Section 13(2) of PC Act qua petitioner and under Section 338 of BNS and under Section 7 of PC Act was added), at Police Station Sector-39, Chandigarh.

2. Learned Senior counsel appearing on behalf of the petitioner contends that the petitioner had not demanded any bribe from Manish Kumar or any other person, for not involving them in a false case under the provisions of Arms Act. Even no amount was ever paid or promised to be paid

to the petitioner by anyone. Learned Senior counsel next contends that the offence under Section 7 of the Prevention of Corruption Act has been wrongly invoked by the police as the petitioner had never demanded or accepted any bribe in the present case. He further contends that the petitioner was arrested by U.P. Police in case FIR No.128 dated 04.03.2025 under Sections 316(5), 317(2) and 61(2) of BNS registered at Police Station Badaut, District Bagpat and has been admitted to bail by the Hon'ble High Court of Allahabad. Even in the present case, similar allegations have been levelled against the present petitioner. Learned Senior counsel further submits that even the sanction for prosecution as required under Section 19 of Prevention of Corruption Act has not been received by the prosecution till date. The petitioner was arrested in the present case on 26.03.2025 and challan has been presented against him on 03.05.2025. He further contends that the petitioner is a public servant and there are no chances of fleeing from the process of justice.

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.

5. In the present case, the petitioner is stated to be in custody since 26.03.2025 and challan has been presented against him. Even the prosecution has not been able to examine even a single witness so far and there are no chances of early conclusion of the trial.

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

21.08.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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