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

CRM-M-42954-2025

Date of Decision: 13.08.2025

Devinder Kumar Bansal

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Sanjeev Goyal, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

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.01 dated 08.01.2025 registered under Section 7 of PC act, 1988 and Section 61(2) of BNS, 2023 at Police Station Vigilance Bureau, Patiala.
2. The FIR in the present case was registered on the basis of the statement made by Gurwinder Singh and the same has been reproduced below:-

“ Statement of Gurwinder Singh alias Pappi son of Sh. Joga Singh resident of Maha Singh Wala Tehsil Moonak, Distt. Sangrur Mobile No. 87259-40650 age about 48 years. Stated that I am resident of abovesaid address and I do agriculture. My wife Kiran Pal Kaur had been Sarpanch of village Maha Singh Wala District Sangrur during the years 2018 to 2024. During this time, Prithvi Singh was posted as Panchayat Secretary in village Maha Singh Wala. During the tenure of my wife as Sarpanch, development works were carried out in the village. On 03/01/2025, Prithvi Singh Panchayat Secretary rang up from his mobile number 98150-25023 at my mobile number 87259-4065 which could not be

picked by me. After some time I called up Prithvi Singh Panchayat Secretary from my abovesaid mobile phone to ask for his help, then Prithvi Singh Panchayat Secretary told me that audit of development works done during the tenure of my wife has been done and we had already given Rs. 20000/- to the auditors and now audit for two years is to be conducted and for that another Rs. 20,000 have to be given to which I pleaded that I have already given a lot of money and cannot give more whereupon Prithvi Singh told me that this time he will get our 2-year's audit for only Rs. 20,000/-and I should give him Rs.20,000/- during that week only. Due to helplessness I made a false promise with him to pay bribe. I had recorded audio of this conversation in my mobile. Today again on 08/01/2025, I received a call from Prithvi Singh Panchayat Secretary who said that Davinder Bansal, Audit Inspector, was demanding money and was saying that if I will not give the money, he will write his report against us, therefore I should give him his fee and fee of Davinder Bansal, Audit Inspector, in his office by noon. I do not want to get job done by paying bribe and therefore I have submit memory card containing recording of my talk with Prithvi Singh Panchayat Secretary and produce Indian currency notes worth Rs. 20,000/- for being given to Prithvi Singh Panchayat Secretary and Davinder Bansal Audit Inspector as bribe. Appropriate Legal action be taken against them. Statement has been made, have read it and is Correct. Sd/- Gurvinder Singh alias Pappi). ”

3. Learned counsel for the petitioner contends that as per version of the prosecution, Prithavi, co-accused was apprehended by the police, while he was accepting a sum of Rs.20,000/- as bribe. However, the petitioner had no connection with his co-accused and has been falsely involved in the present case. Admittedly, the petitioner was not even present at the place of alleged recovery and even during the course of investigation, no evidence could be

collected against him to connect him with the crime. The petitioner was wrongly arrested on 23.03.2025 and is in custody since then. Learned counsel further refers to Annexure P-5 passed by this Court, whereby, co-accused, namely, Prithavi Singh has been granted the concession of bail on 29.07.2025 passed in CRM-M-12933-2025.

4. 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.

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

6. In the present case, the petitioner is in custody for the last more than 05 months and after completion of investigation, challa has been presented against him. Even co-accused, Prithavi Singh has been granted the concession of bail by this Court vide order dated 29.07.2025 (Annexure P-5). Thus, no purpose will be served by keeping him behind bars.

7. 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.

(N.S.SHEKHAWAT)
JUDGE

13.08.2025
hemlata

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