



CRM-M-45507-2025

-1-

(216)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45507-2025

Date of decision : 22.09.2025

ZORA SINGH

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Navmohit Singh, Advocate
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

Mr. Sumit Kamboj, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 482 BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.0022 dated 07.07.2025 registered under Section 7 Prevention of Corruption Act, 1988 (Sections 13(1)(b), 13(2) of P.C. Act and Section 61(2) BNS added later on) at Police Station ACB Ambala, District Anti Corruption Bureau, Haryana.

2. The present FIR came to be registered at the instance of Ankush Kumar S/o Shri Naresh Kumar and the same reads as under:-

“It is requested that I am Ankush Kumar son of Shri Naresh Kumar, resident of village Batta Ki Badiyal Patti, and do farming, and now I am taking driver training in Haryana Roadways Heavy Vehicle Driver Training School Kaithal to get a heavy driving license. My online application number is



DTS00643817B02085KTL dated 19.06.2025, for which I got a receipt of Rs. 540/- off-line on 19.06.2025, and another receipt of Rs. 3000/-, which was issued online, whose GRN number is 135590297, was also issued on 19.06.2025. I submitted all the documents as per the requirement of Haryana State Transport Kaithal, education certificates, and all my I.D. I had also given it along with the form, and after getting my medical done, I had also submitted the medical report to Haryana Roadways Driving School, Kaithal. After this, my training started from 24.06.2025. Both the roadways employees Hakam Singh and Zora Singh were on duty to train me. Apart from me, many other children are also taking training, who take different students for training in many buses, both the drivers Zora Singh and Hakam Singh stay together, both of them have been harassing me a lot, and demand money from me, Zora Singh and Hakam Singh have told me many times that your training will go well. On which I called Hakam Singh driver's mobile phone no. from my mobile phone no. 98127-84819 on 02.07.2025. I talked to driver Hakam Singh on no. 83076-50146 on which told me that if I give Rs. 3000/- then I can mark my attendance and leave, my training will be done automatically. After this, today on 07.07.2025, I talked to Zora Singh's mobile phone number 81683-07043 from my mobile phone, who said that he has gone to Murthal for 15 days for training, and Zora Singh driver told me that he is in Murthal, give Rs. 3000 to Hakam Singh, and get me to talk to him, I said I will give 2000, he refused to take Rs. 2000 and said to give Rs. 3000 and only after giving Rs. 3000 bribe, he said he will not harass me and mark my attendance and told me that my license will be made, there will be no problem. He also said that after giving money, make me talk to Hakam Singh. I do not want to give this 3000/- bribe and want to catch Hakam Singh and Zora Singh red handed while taking bribe. Hakam Singh driver will take 3000/- from me today as bribe but Zora Singh has gone to

**CRM-M-45507-2025****-3-**

Murthal for some training, with whom I have talked. I have recorded the above conversation about demanding bribe in my mobile phone, which I will present to you later. Acting on my request, action should be taken against Zora Singh and Hakam Singh for taking bribe in exchange for government work.-sd- Ankush Kumar”

3. Pursuant to the registration of the FIR, a raiding party was constituted and Hakam Singh was arrested at the spot red-handed with Rs.3000/- in cash as demanded from the complainant. During investigation, Hakam Singh disclosed the name of the petitioner as well. The complainant provided the voice recordings of Hakam Singh and Zora Singh (petitioner) purportedly demanding illegal gratification.

4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, the complainant has conceded in his affidavit dated 04.08.2025 (Annexure P-3) that the petitioner had not demanded any money. The complainant had called the petitioner asking him to persuade co-accused Hakam Singh to accept Rs.2000/- as against Rs.3000/-. The call recording is not conclusive proof of the offence having committed. As the petitioner is ready and willing to join investigation, he is entitled to the concession of anticipatory bail.

5. On the other hand, the learned State counsel while referring to the reply dated 02.07.2025 contends that not only is the petitioner duly named in the FIR as one of the accused demanding illegal gratification from the complainant but there is the transcript of a conversation between the complainant and the petitioner whereby the



CRM-M-45507-2025

-4-

petitioner is heard telling the complainant to give the money to Hakam Singh after which he (petitioner) would speak to Hakam Singh. Quite apparently, the offence stands established beyond doubt and therefore, the petitioner is not entitled to the concession of anticipatory bail.

6. The learned counsel for the complainant contends that he has furnished an affidavit dated 04.08.2025 (Annexure P-3) to the effect that the petitioner had not demanded any amount. He, however, has failed to apprise this Court as to why specific allegations have been levelled in the FIR against the petitioner as well for harassing and demanding money from the complainant.

7. I have heard the learned counsel for the parties.

8. The Hon'ble Supreme Court in the case of ***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr.*** 2022 Live Law (SC) 870 held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the prima facie case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

“It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation,



we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

*We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. **In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial***



interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.

9. In **Devinder Kumar Bansal Vs. The State of Punjab, 2025**

SCC Online SC 488, the Hon'ble Supreme Court held as under:-

"21. The parameters for grant of anticipatory bail in a serious offence like corruption are required to be satisfied. Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has been falsely enroped in the crime or the allegations are politically motivated or are frivolous. So far as the case at hand is concerned, it cannot be said that any exceptional circumstances have been made out by the petitioner accused for grant of anticipatory bail and there is no frivolity in the prosecution.

22. In the aforesaid context, we may refer to a pronouncement in Central Bureau of Investigation v. V. Vijay Sai Reddy reported in (2013) 7 Scale 15, wherein this Court expressed thus:

"28. While granting bail, the court has to keep in mind the nature of accusation, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations. It has also to be kept in mind that for the purpose of granting bail, the Legislature has used the words "reasonable grounds for believing" instead of "the evidence" which means the Court dealing with the grant of bail can only satisfy it as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge. It is



CRM-M-45507-2025

-7-

not expected, at this stage, to have the evidence establishing the guilt of the accused beyond reasonable doubt."

(Emphasis supplied)

23. *The presumption of innocence, by itself, cannot be the sole consideration for grant of anticipatory bail. The presumption of innocence is one of the considerations, which the court should keep in mind while considering the plea for anticipatory bail. The salutary rule is to balance the cause of the accused and the cause of public justice. Over solicitous homage to the accused's liberty can, sometimes, defeat the cause of public justice.*

24. *If liberty is to be denied to an accused to ensure corruption free society, then the courts should not hesitate in denying such liberty. Where overwhelming considerations in the nature aforesaid require denial of anticipatory bail, it has to be denied. It is altogether a different thing to say that once the investigation is over and charge-sheet is filed, the court may consider to grant regular bail to a public servant - accused of indulging in corruption.*

25. *Avarice is a common frailty of mankind and Robert Walpole's famous pronouncement that all men have their price, notwithstanding the unsavoury cynicism that it suggests, is not very far from truth. As far back as more than two centuries ago, it was Burke who cautioned: "Among a people generally corrupt, liberty cannot last long". In more recent years, Romain Rolland lamented that France fell because there was corruption without indignation. Corruption has, in it, very dangerous potentialities. Corruption, a word of wide connotation has, in respect of almost all the spheres of our day to day life, all the world over, the limited meaning of allowing decisions and actions to be influenced not by the rights or wrongs of a case but by the prospects of monetary gains or other selfish considerations.*



CRM-M-45507-2025

-8-

26. If even a fraction of what was the vox pupuli about the magnitude of corruption to be true, then it would not be far removed from the truth, that it is the rampant corruption indulged in with impunity by highly placed persons that has led to economic unrest in this country. If one is asked to name one sole factor that effectively arrested the progress of our society to prosperity, undeniably it is corruption. If the society in a developing country faces a menace greater than even the one from the hired assassins to its law and order, then that is from the corrupt elements at the higher echelons of the Government and of the political parties.”

(Emphasis supplied)

10. A perusal of the FIR would reveal that the complainant-Ankush Kumar has categorically stated that both the roadways employees namely, Hakam Singh and Zora Singh (petitioner) were on duty to train him. Both of them had been harassing him a lot and demanding money from him. Zora Singh had told him to give Rs.3000/- to Hakam Singh and get Hakam Singh to speak to him (Zora Singh). Once the illegal gratification was paid, they would not have harassed him and would have marked his attendance and he would have got his licence. Hakam Singh was apprehended while accepting the bribe of Rs.3000/-. The conversation between the complainant and the petitioner would also substantiate the version of the FIR that both the accused were demanding illegal gratification from the petitioner on receipt of which they would mark his attendance and leave, his training would be conducted automatically and he would obtain his licence. Therefore, apparently, the offence stands *prima facie* established and it cannot be

**CRM-M-45507-2025****-9-**

said that the petitioner has been falsely implicated due to some oblique political motive or that the allegations against the petitioner are completely preposterous.

11. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed.

12. However, the observations made hereinabove are only for the purposes of deciding this bail petition and the Trial Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made herein.

(JASJIT SINGH BEDI)
JUDGE

22.09.2025

JITESH

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