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

CRM-M-60138-2024**Date of Decision: 09.01.2025**

Gori Shankar

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

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.18 dated 16.09.2024 registered under Sections 308(2) of BNS and Section 7 of Prevention of Corruption Act, 1988, at Police Station ACB(H), Hisar, District Hisar.

2. Learned counsel for the petitioner contends that the petitioner had never demanded any money from the complainant and has been wrongly involved by the officials of Anti Corruption Bureau. By referring to the memo of recovery of CCTV footage (Annexure P-3), learned counsel submits that in fact, the petitioner himself had handed over a sum of Rs.500/- to the complainant, so that the matter may be compromised between the parties and the petitioner had tried to help the complainant in the present case. Thus, it has been wrongly stated that the petitioner had allegedly demanded the bribe from the complainant. Learned counsel further contends that the petitioner was



arrested in the present case on 16.09.2024 and is in custody for the last more than 3 months. Challan has already been presented against the petitioner and the prosecution has not been able to examine even a single witness in the present case.

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 complainant has levelled the allegations regarding demand of bribe by the present petitioner, whereas, on the other hand, as per the CCTV footage, the petitioner had handed over a sum of Rs.500/- to the complainant and the prosecution is yet to lead evidence before the trial Court to prove the version of the prosecution and the involvement of the petitioner is yet to be established during trial. The petitioner is in custody for the last more than 3 months and the trial is not likely to conclude in near future.

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.

09.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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