



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

CRM-M No.62982 of 2024 (O&M)

Date of decision: 3rd April, 2025

Alka Sharma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Satbir Gill, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of regular bail under Section 483 of BNSS in case bearing FIR No.24 dated 08.11.2024 under Section 7 of the Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act, 2018 and section 61(2) of the BNSS registered at Police Station Vigilance Bureau Range Jalandhar, District Jalandhar.

2. Learned counsel for the petitioner contends that the petitioner is a lady and has been in custody since 08.11.2024. It is submitted that she is suffering from multiple medical ailments and is currently under treatment at PGIMER Chandigarh. It is further pointed out that the investigation qua the petitioner stands concluded, and the challan has already been presented before the competent Court. Charges,

however, have not yet been framed, and as such, there is no likelihood of the trial concluding in the near future.

3. It has further been submitted that the petitioner has been falsely implicated in the present case involving an alleged demand and acceptance of illegal gratification amounting to ₹30,000/-. Although a telephonic conversation purportedly between the petitioner and the complainant is stated to form part of the incriminating material collected, it is contended that the said recording is manipulated. The petitioner is willing to provide her voice sample, if required, to assist in further investigation and prove her innocence. A prayer for bail has thus been made in the aforementioned circumstances, especially keeping in view the medical condition of the petitioner.

4. On the previous date of hearing, this Court had directed the State to verify the medical condition of the petitioner. In compliance, the State has placed on record an affidavit of Harcharan Singh Gill, Superintendent Central Jail, Hoshiarpur along with the relevant medical treatment reports. As per the report, the petitioner is indeed undergoing treatment at PGIMER Chandigarh, and is suffering from multiple medical conditions. She has been diagnosed with asthma and has a history of coronary artery disease. The documents further reveal that she has been referred from Civil Hospital Hoshiarpur to the Surgery Department of PGIMER Chandigarh for further evaluation and treatment.

5. Learned State counsel, on instructions, does not dispute the custody period of the petitioner or the fact that the investigation stands concluded. It is however submitted that, as per the allegations in the FIR, the petitioner (who was working as Computer Operator/Assistant Labour Officer) along with her co-accused Harpreet Singh entered into a criminal conspiracy and demanded illegal gratification of ₹30,000/- from the complainant for clearing a notice which had been served upon him. She was caught red-handed while accepting illegal gratification, and an audio recording exists in which she is allegedly heard discussing the bribe. Learned State counsel submits that in case the petitioner is released on bail, she may be directed to cooperate in the investigation and provide her voice sample, if so required.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. The petitioner has been in custody since 08.11.2024. The investigation is complete, and the challan has been presented. Possibility of an early conclusion of the trial appears remote as charges are likely to be framed only on the next date of hearing. The petitioner, who is a lady, is suffering from various serious medical ailments, the details of which stand corroborated through the medical record placed on file by the State. The petitioner is also presently under treatment at PGIMER Chandigarh and has been referred to the Surgery Department for further management.

8. In the totality of circumstances and keeping in view the custody period of the petitioner, her medical condition, and the stage of the trial, this Court deems it fit to allow the instant petition. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Pending application, if any, stands disposed of.

(MANJARI NEHRU KAUL)
JUDGE

April 3, 2025
rps

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