

2025:PHHC:006638



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

CRM M-65623-2024 (O&M)

Date of Decision: 16.01.2025

Bhupinder Punj

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. R.S. Ghumman, Advocate, for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

Mr. Deepak Arora, Advocate, for the complainant.

N.S.SHEKHAWAT, J. (Oral)

CRM 1341 of 2025

1. Allowed as prayed for subject to all just exceptions.
2. Reply alongwith annexures is taken on record.

CRM 1613 of 2025

1. Allowed as prayed for subject to all just exceptions.
2. Annexures P-15 to P-22 are taken on record.

CRM M-65623-2024

1. The petitioner has filed the present petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita with a prayer to grant the concession of anticipatory bail to him in case FIR No. 11 dated

30.11.2024 under Sections 384, 420, 465, 467, 468 and 120-B IPC registered at Police Station Economic Offences Wing, Vigilance Bureau, Ludhiana, District Ludhiana (Annexure P-2).

2. The FIR in the present case was registered by the Vigilance Bureau, Ludhiana, on the basis of a detailed inquiry report and the same has been reproduced below:-

“SHO Police Station Vigilance Bureau, Economic Offences Wing, Ludhiana, Punjab Jai Hind. Today I Inspector am present in the office then a letter bearing Memo No. 47271/VB/S-5 dated 29.11.2024 of the Chief Director, Vigilance Bureau, SAS was received in the office of Senior Superintendent of Police, Economic Offences Wing Punjab, Vigilance Bureau, Ludhiana, vide Diary No.1407 dated 30.11.2024, which was marked to her. From which it was found that during the inquiry of Complaint No.641/2023 Ludhiana, it was found that Bhupinder Punj and Satnam Dhawan used to obtain works of innocent people with R.T.O. Offices themselves and after threatening the Officials of the RTO Offices, regarding giving their complaints to the Vigilance Department, they forced them to do their work early and after blackmailing them, obtained money from them. From screenshots produced by Ravinder Singh Clerk, Vikram Singh Clerk and Neelam Clerk and from the Register produced by Navdeep Singh Steno, it was found that Bhupinder Punj, in routine, gets the work of people from the R.T.O. Office done and himself receives the documents (R. C's,- Licenses/Permits etc.). Whereas the said work do not belong to his-self, but is of the public

*and in lieu of this work Bhupinder Punj obtains huge amounts from them and blackmails the officials of R.T.O. Offices. From Screenshots produced by Amardeep Singh Junior Assistant, Neelam, Jai Teg Singh, Dinesh Bansal and Gaurav Kumar, it was found that Bhupinder Punj and Satnam Dhawan, after blackmailing the officials of the RTO Offices, get works of the people done after obtaining huge amounts from the people, whereas these do not belong to them personally. As per Screenshots produced by Dinesh Bansal, Data Entry Operator, on 04.02.2022 Satnam Dhawan through WhatsApp No. 95015-13137 to the WhatsApp Number of Dinesh Bansal 78888-46354, sent a Mobile No.98155-60510 by writing 10 Kg. After sometime, Satnam Dhawan sent another message writing that after sending maal (material) send Screenshot. On 04.03.2022, Satnam Dhawan from Mobile No.95015-13137 sent WhatsApp message to Mobile No. 78888-46354 of Dinesh Bansal by writing the name Vikas Bhandari and sent one Mobile No.81463-40037 and asked for putting money. Dinesh Bansal sent a Screenshot regarding non-delivering of the money, upon which, Satnam Dhawan sent a message on WhatsApp that he do not wait for that long for anybody and the same can be asked from his Sahib. Dinesh Bansal asked by sending the message asked from Dhaliwal, from RTA Sahib or which Sahib. Then on 06.01.2023, Satnam Dhawan from Mobile No. 95015-13137 sent a WhatsApp Message to Mobile No. 78888-46354 of Dinesh Bansal a screenshot regarding registration of a case against R.T.A. Ludhiana and wrote that **The Power of Dhawan**. As per the*

*statement of Dinesh Bansal, Satnam Dhawan gave a complaint against Dinesh Bansal to Vigilance, regarding which Satnam Dhawan said to Dinesh Bansal that he has setting with Vigilance, your complaint has to be got consigned to record, you pay Rupees 3 Lakh. On 08.04.2023, Satnam Dhawan sent a WhatsApp message to Dinesh Bansal, stating that he knows everything, but is silent for some reason, he is waiting for something, 15 more days. Satnam Dhawan sent the copy of complaint, given against Dinesh Bansal to the Vigilance, to his Company, who consigned the same to records. As per screen shot on 02.11.2023 Satnam Dhawan sent WhatsApp message to Dinesh Bansal by writing welcome to **Jagraon, you are rang in Dhawan Setliht**. The said message was put by Satnam Dhawan on his WhatsApp Status also. As per statement of Dinesh Bansal, thereafter he received a call from Mobile No.62805-34054 and caller said Satnam Baaji has asked to put Rupees 2,00,000/- through PayTM on Mobile No.97797-65801 and due to fear Dinesh Bansal sent Rupees 16,000/- through PayTM on 22.12.2023, Rupees 6,000/- on 26.12.2023, Rupees 3,000/- on 28.12.2023, Rupees 15,000/- on 05.01.2024, Rupees 5,000/- on 08.01.2024, Rupees 10,000/- on 09.01.2024, Rupees 5,000/- on 10.01.2024, Rupees 10,000/- on 16.01.2024 and Rupees 10,000/- on 18.01.2024, in total transferred Rupees 80,000/-. As per statement of Dinesh Bansal, from this very number (62805-34054) he was sent a Mobile No.85580-78753 of person named Harpreet Singh and was asked to transfer money. Dinesh Bansal transferred Rupees 9,900/- on 31.01.2024 and Rupees*

10,100/- on 19.02.2024, Harpreet Singh sent a message that Bhaji had asked for more and wrote 45,000/-. On 21.02.2024 Harpreet Singh again sent WhatsApp message to put 55. On 24.02.2024 Harpreet Singh sent a WhatsApp message to Dinesh Bansal asking for sending money, upon which, Dinesh Bansal replied that he is in hospital, then Harpreet Singh wrote a message that do'nt the Google Pay works in the hospital. On 27.02.2024, a WhatsApp message was received by Dinesh Bansal that Veer Ji was saying true that this person is not reliable. As per statement of Dinesh Bansal, one person namely Billa (Rajiv Sood), working as an agent in the Courts sent by Satnam Dhawan also took Rupees 30,000/- from him. As per the screenshots produced by Gaurav Kumar Data Entry Operator Satnam Dhawan sent threatening messages from his Mobile No.95015-13137 to Mobile No.81462-72276 of Gaurav Kumar. As per statement of Gaurav Kumar demand of Rupees 25,000/- per month was made from him and in the event of non payment threat of giving complaint against him in vigilance was given. Through Narinder Singh an agent of Amritsar, Rupees 10,00,000/- were demanded due to which Gaurav on the asking of Satnam Singh gave Rupees 1,00,000/- to agent Narinder Singh in October 2023. Gaurav Kumar stated due to threat from Satnam Dhawan he contacted his known Gurwinder Singh @ Rimpay who did Whatsapp call to Satnam Dhawan from his Mobile No.73079-00071 on Mobile No.95015-13137, of which Gaurav prepared a video on mobile phone. From the talk of Satnam Dhawan with Gurwinder Singh @ Rimpay threatening attitude of Satnam Dhawan is evident. Different statuses put by

Satnam Dhawan created fear in the Officers/Officials of R.T.O. Offices is also proved. Screenshots produced by Dinesh Bansal, repeated calls and chats were received from Mobile No.99150-36000, mentioning pick the phone urgent and Apke Liye Gift Hai, Kab Lena Hai etc. asking and receiving money from Dinesh Bansal by threat is proved. The allegations regarding Bhupinder Punj and Satnam Dhawan threatening the Officers/Officials of RTO Offices of threat of Vigilance Department and getting the works of people done and by blackmailing by giving complaints to Vigilance department or by giving threat of it by asking for and receiving extortion money allegations leveled in the complaint are proved. Bhupinder Punj, after eight years of the death of Sukhdev Singh son of Pritam Singh resident of Village and Post Office Amargarh Kaler, Tehsil Jagraon, District Ludhiana, got transferred in his name, from RTO Office Sangrur, Truck bearing registration No. PB-10-BZ-7101, on the basis of purchasing a Stamp Paper from Akashdeep Garg, Stamp Vendor, Sangrur and getting it notarized from Vijay Kumar, through Vinod Kumar Bindal, Notary Public, Sangrur makes out commission of offence. By doing so abovesaid Bhupinder Punj son of Braham Parkash, resident of 186, Village Lohara, Tehsil and District Ludhiana, Satnam Dhawan Dhawan son of Gurdarshan Singh Dhawan resident of House No. 5351/12-74, Street No.5, Near Shimlapur, Ravindra Colony, Police Station Shimlapur, Ludhiana have committed an offence punishable under sections 384/420/465/467/468/120-B IPC. The case is registered under the abovesaid sections. Role of Akashdip Garg

Stamp Vendor (License No.1/5/1/2007/Longowa), Advocate Vinod Kumar Bindal (Notary Public Registration No.4166) son of Sh. Vasudev, resident of Village Mundia Tibba, near Fortis Hospital, Ludhiana, Vijay Kumar son of Sh. Vasudev resident of Village Mundia Tibba, near Fortis Hospital, Ludhiana and Mobile No.9815560510, Mobile No.8146340037, Mobile No. 6280534054, Mobile No.9779765801 and Mobile No. 8558078753 owners who had received online payments) and employees of R.T.O. office whose connivance is found with Satnam Dhawan and Bhupinder Punj their role will be considered during the course of investigation. After registration of the case original ruqa, copy of FIR be sent and special reports be sent to Illaqa Magistrate and Senior Officers. Today in the office dated 30.11.2024 time 02.00 PM. Sd/- Inspector Simranjit Kaur No.20/B.R.T., Vigilance Bureau, Economic Offences Wing, Ludhiana, Punjab”.

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case on the basis of the complaints submitted by Ravinder Kataria, who was acting at the dictates of Amardeep Singh, Clerk. The petitioner had highlighted the corrupt activities of Amardeep Singh, Clerk, in the Office of the Regional Transport Authority (RTA), Ludhiana. Ravinder Kataria, had submitted several false complaints against the petitioner by levelling similar allegations, in order to harass and put pressure on the petitioner to withdraw the complaints against Amardeep Singh, Clerk.

The petitioner appeared before senior police officers in various inquiries and the allegations levelled by Ravinder Kataria were found to be false. Ultimately, the Commissioner of Police, Ludhiana, submitted an affidavit dated 10.11.2024 (Annexure P-1) before this Court and stated that the allegations levelled by Ravinder Kataria were found to be false. However, just 20 days after the submission of the affidavit (Annexure P-1), the present FIR has been registered against the petitioner at Police Station, Economic Offences Wing, Vigilance Bureau, Ludhiana, District Ludhiana. He further submits that in fact the FIR has been registered in such a short span under pressure of Ravinder Kataria. He further contends that the petitioner had also submitted a complaint to the Secretary, RTA, Ludhiana (Annexure P-3) for taking action against Amardeep Singh, Clerk, who was posted in the same office. Even, he made various representations to the Hon'ble Chief Minister, Punjab, the DGP Punjab, the Chief Director, Vigilance Bureau, Punjab and the Commissioner of Police, Ludhiana (Annexure P-4 to P-7) for taking action against the complainant in the present case, but no action was taken against him. He further contends that even the petitioner has filed a CWP 25182 of 2022 before this Court for issuance of directions for official respondents to take action on the complaints submitted by the petitioner. However, after filing of the writ petition, Ravinder Kataria and Amardeep Singh colluded with the senior police officers of

Punjab Police and got false FIR registered against him. It has been wrongly alleged that the petitioner was blackmailing the transport officials as during repeated inquiries by the senior police officers, the allegations have been found to be false. Even, no person was ever threatened or blackmailed by the petitioner and the allegations of receiving huge amounts by the petitioner from the public for such unlawful work are unfounded and imaginary. In fact, all the works were done in the office of RTA online and nobody could get it done by paying requisite fees to the Government.

4. Learned counsel further submits that in fact in the present case, the petitioner himself is a victim and had filed several petitions, before this Court, to highlight corruption by the officials of RTA Ludhiana. Due to this, a conspiracy was hatched by the officials of the RTA as well as police and the complaints were taken from a private person, namely, Ravinder Kataria, just to victimize the petitioner. Learned counsel further contends that there was no evidence against the present petitioner and no official of Transport Department/RTA had levelled any allegations against the present petitioner. Even, there was no evidence to prove that the petitioner had ever blackmailed any government official. Learned counsel for the petitioner further submits that open corruption was prevalent in the office of RTA/Transport Department Ludhiana and for each and every work, the officials had been demanding money. In case, any person refuses

to oblige them, his work would not be done by the RTA officials. Even, Ravinder Kataria, was an agent of RTA officials and had filed several cases without any justification. The petitioner had raised his voice against the corruption in RTA Office, Ludhiana and against the misdeeds of Ravinder Kataria and when no action was taken by any official, he had approached this Court for ensuring action against the complainant in the present case.

5. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner. Learned State counsel submits that the present petitioner and Satnam Dhawan were accused of coercing and blackmailing officials and employees of the Regional Transport Office in the State of Punjab. They threatened to file complaints with the Vigilance Bureau, just to force the official to act as per the wishes of the petitioner. Even, during verification it had been found that the petitioner himself used to receive documents, registration certificates, permits etc., from the public and used to get the work done from the Office of RTA, Ludhiana by paying money. He used to take huge amounts from the general public and a part of the money was given to the officials of the RTA as bribe. The petitioner also used to blackmail the officials of RTA, Ludhiana and the screenshots were produced by Neelam, Jai Teg Singh, Dinesh Bansal and Gaurav Kumar, all officials of RTA Office and it was

found that the petitioner and his co-accused used to get the work done after obtaining huge amounts from the general public. Even, the petitioner fraudulently got the ownership of a truck bearing registration No. PB-10-BZ-7101 fraudulently, by using forged affidavits and false notarial attestations. Apart from that, the petitioner also used to file various petitions before this Court without any justification and used to threaten the officials of RTA, Ludhiana, after filing the petitions before this Court. He used to blackmail all officials of RTA Ludhiana and used to collect money from them. The police had already recorded the statements of Amardeep Singh Junior Assistant, Neelam Clerk, Kiranjit Kaur, Senior Assistant, Ravinder Singh Clerk, Vikram Singh Clerk and Navdeep Singh Steno, who clearly stated that they were blackmailed by the present petitioner and forced to do the illegal work. Thus, it is apparent that the custodial interrogation of the petitioner was required.

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

7. No doubt, an affidavit (Annexure P-1) was filed by the Commissioner of Police, Ludhiana, before this Court, with regard to certain complaints filed by Ravinder Kataria against the present petitioner. The affidavit (Annexure P-1) was based on the inquiries got conducted by Ludhiana Police from SHO, Police Station Daba and other police officials. However, the Vigilance Bureau, Punjab,

was also conducting an inquiry against the petitioner on the basis of the various complaints received against the petitioner. Even otherwise, in the matters of economic offences wing, only Vigilance Bureau, Punjab, was empowered to conduct the investigation against the petitioner. They conducted the detailed investigation and it was found that the petitioner had blackmailed the officials of RTA, Ludhiana and had extorted money from all of them. Even, the officials of RTA Ludhiana had shared the screenshots with the Vigilance Bureau, Punjab showing that the present petitioner was threatening and blackmailing them and was forcing them to get the works of people done as he had obtained huge amounts from the public. Even, he sent the messages to the officials of the RTA Ludhiana that he had received money from various persons. Even during the course of investigation, the Vigilance Bureau, Punjab, had recorded the statements of several officials of RTA, Ludhiana, who categorically stated that they were blackmailed by the petitioner and were forced to do illegal works, for which, the petitioner had taken money from the general public. In fact, it appears that the petitioner used to collect money from the public for getting their work done and by putting the officials of RTA Office in fear to lodging complaints with the Vigilance Department, he used to get the work done from them. In the said racket, not only the petitioner was involved, but apparently several other officials/persons were also involved and the

custodial interrogation of the petitioner would certainly be required to unravel the *modus operandi* of the petitioner as well as to know the names of other officials/persons, who might be involved in the scam. Apart from that, his custodial interrogation would also be required to know the names of the officials of the RTA Ludhiana, who are involved with him and to collect the documentary evidence, which might be in possession of the present petitioner.

8. The Hon'ble Supreme Court has held in the matter of ***State of Gujarat v. Mohanlal Jitamalji Porwal (1987) 2 SCC 364***, as under:-

[5].The entire community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest....."

9. The Hon'ble Supreme Court has held in the matter of ***State represented by CBI v. Anil Sharma, (1997) 7 SCC 187***, as follows:-

“[6]. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favourable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders”.

10. While laying down the principles for grant of bail in economic offences, the Hon’ble Supreme Court in the matter of **Y.S. Jaggan Mohan Reddy Vs. C.B.I. (2013) 7 SCC 439**, has held as follows:-

“[34]. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole

and thereby posing serious threat to the financial health of the country.

[35]. While granting bail, the court has to keep in mind the nature of accusations, 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”.

11. In the present case, from the analysis of the allegations levelled against the petitioner and evidence collected so far, the present petition deserves to be dismissed by this Court. Still further, if the nature and gravity of the offences against the petitioner is kept in mind, even though, the petitioner fails to make out a case for grant of concession of anticipatory bail.

12. During the course of hearing of the present case, this Court had the occasion to peruse the file of the Investigating Officer. It appears that a well oiled system is working in the Office of the Regional Transport Authority, Ludhiana, in which, the petitioner and similar other brokers/agents are also involved. These brokers/agents sit outside the Office of the RTA, Ludhiana and collect money even for petty official work. Even, the general public has no access to the officials of RTA and no official work is done or no official file is

cleared, unless the public pays money to such unscrupulous persons. In fact, the veil will be lifted from such a racket when the investigation will be conducted by a senior IPC officer of Punjab Police. Even, it appears that the complainant in the present case, appears to be a chronic litigant and some other officials of the Regional Transport Authority, Ludhiana, may also be involved. It is expected from the Director, Vigilance Bureau, Punjab, to appoint a senior IPS Officer of impeccable integrity, who may investigate the offence in the present case fairly and may also investigate the roles of the complainant and other officials of RTA, Ludhiana, so that the general public may get rid of such illegal agents/brokers/corrupt officials.

- 13. Dismissed.
- 14. The above observations have been made only for the limited purpose of disposal of the bail application and shall never be construed as an expression of opinion on the merits of the case.
- 15. A copy of this order may be sent to the Director, Vigilance Bureau, Punjab, for information and necessary action.

16.01.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No