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CRM-M-9911-2026 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(346)

CRM-M-9911-2026 (O & M)

Date of decision: 24.03.2026

Vijay @ Vijay Yadav

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Kuldeep Attri, Advocate,
for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.40 dated 20.11.2025 under Sections 7, 7A, 13(1)(B) read with Section 13(2) of the Prevention of Corruption Act, 1988 registered at Police Station ACB, Gurugram.

2. The present FIR came to be registered at the instance of Amandeep and reads as under:-

It is submitted that I, Amandeep S/o Vimal, resident of Village Rambas, Tehsil Kanina, District Mahendergarh, am a student of B.A. IIIrd Year. My father has been ill for many days. For household needs in the year 2024, my father had taken a loan on our house from India Shelter Bank, Nimrana (Rajasthan).

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Now due to further financial needs, my father has taken a higher loan on our house from UTKARSH Bank. The previous loan was entered in the bank record, which was required to be removed. For this purpose, after taking NOC from India Shelter Bank, I met our Halka Patwari Vikram. He harassed me for several days and then said that money would be required for this work. I told him that when I come in one or two days to get entry of the new bank loan done, I will give it at that time. On 18/11/2025, I met Patwari Vikram with the loan papers of UTKARSH Bank. He wrote Rs.20,000 and Rs.2,500 on a paper and indicated by placing his finger on Rs.20,000 saying this is for today, and by placing his finger on Rs.2,500 said this is for previous days. He then said to give this paper to Vijay who will make the entry, and give him Rs.1,000 or if he does not agree, then Rs.1,500. After that I went to Vijay, who demanded Rs.2,000 as bribe from me, which I transferred from my mobile number 9485635253 to his mobile scanner. I also recorded this incident on my mobile phone. On 19/11/2025, when I again met the Patwari to verify the bank papers, I requested to reduce the bribe amount earlier demanded. He said that whatever work he had done till now, the entire amount comes to Rs.10,000 out of the bribe demanded by Patwari Vikram, which is to be paid today.

But I do not want to give bribe to the corrupt Patwari. I have no personal enmity with Vikram Patwari and Vijay Clerk, nor any personal dealings. It is requested that action be taken against these two corrupt employees. The recording of the bribe will be produced later.

*Sd/-Amandeep S/o Vimal
Village Rambas, Tehsil Kanina, District Mahendergarh
Date: 20.11.2025
Mobile No.: 9485635253*

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3. During the course of the investigation, Vikram Patwari was apprehended red handed while accepting illegal gratification of Rs.10,000/-. The petitioner who was posted as a Computer Operator in the Revenue Record Office of Tehsil Kanina was found to have demanded a sum of Rs.2,000/- which was transferred to the petitioner by the complainant through OnLine mode in consideration for clearing his old loan or facilitating the registration of a new loan in the Revenue Record.

4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. A sum of Rs.2,000/- has been paid to him as the complainant and the petitioner were friends. The phone recording does not inculcate the petitioner in any manner. As the petitioner is ready and willing to join investigation, he be granted the concession of anticipatory bail.

5. The learned counsel for the State, on the other hand, has filed a reply dated 10.03.2026 which is taken on record. While referring to the said reply, he contends that Vikram Patwari was apprehended while accepting a bribe of Rs.10,000/-. The petitioner who was posted as a Computer Operator demanded and accepted Rs.2,000/- from the complainant through OnLine mode. This is not on account of any friendship. The complainant too has sought illegal gratification for clearing the old loan or facilitating the registration of a new loan in the Revenue Record. As the offence is *prima facie* established and the investigation is to be taken to its logical conclusion,



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the custodial interrogation of the petitioner is certainly necessary and therefore, he is not entitled to the concession of anticipatory bail.

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

7. The Hon'ble Supreme Court in the case of '***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr. 2022(4) RCR (Criminal) 977***', has 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***



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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.”

8. A perusal of the material on record would reveal that Vikram Patwari and Vijay alias Vijay Yadav (petitioner) demanded and received illegal gratification from the complainant for clearing his old loan or facilitating the registration of a new loan in the Revenue Record. Vikram Patwari was apprehended red-handed while accepting a bribe of Rs.10,000/-.

The petitioner demanded and accepted Rs.2,000/- via OnLine mode.

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9. The relevant extract of the reply dated 10.03.2026 filed by way of an affidavit of Ashok Kumar, HPS, Deputy Superintendent of Police, SV & Anti Corruption Bureau, Gurugram on behalf of the respondent-State of Haryana is reproduced hereinbelow:-

10. That the petitioner, Vijay Kumar, was posted as a Computer Operator in the Revenue Record Office, Tehsil Kanina, and had demanded a bribe of ₹2,000/-from the complainant, Amandeep, through online UPI in consideration for clearing his old loan or facilitating the registration of a new loan in the revenue record. During the course of investigation, it was found that there was a conversation between the petitioner Vijay Kumar and the complainant regarding the demand of bribe, and the transcript of the said conversation is annexed herewith as Annexure R-4. It is further submitted that an amount of ₹2,000/- was transferred from the bank account bearing No.41000461636 of the complainant, Amandeep, to the bank account of petitioner Vijay Kumar through UPI linked to the petitioner's mobile number, and the copy of the bank statement is annexed herewith as Annexure R-5.

10. As the offence is *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly necessary. Therefore, he is not entitled to the grant of anticipatory bail.

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

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12. However, it is made clear that the observations made in this order are only for the purpose of deciding this bail application 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.

13. The pending application(s), if any, shall stand disposed of accordingly.

March 24, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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