



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

201

CRM-M No.23855 of 2026 (O&M)

Date of Decision:01.06.2026

Nand Lal

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Gautam Dutt, Sr. Advocate with
Mr. Rehan Gupta, Advocate and
Mr. Yajur Mago, Advocate for the petitioner.

Mr. Sunny Namdev, AAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

For the benefit of anticipatory bail, the instant petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, in a case arising out of the FIR No.2 dated 11.03.2026, under Sections 7, 13(1)(b) & 13(2) of Prevention of Corruption Act 1988, Police Station ACB Karnal, District State Vigilance & Anti-Corruption Bureau, Haryana.

2. The abovementioned FIR came into being at the instance of 'Dinesh Kumar', hereinafter being referred to as 'complainant' only. It was stated by the complainant that he was having a horse farm at village Nohra Madlauda and for electric connection he had deposited the requisite security amount, but the Junior Engineer of Electricity Board of 'Uttar Haryana Bijli Vitran Nigam Limited', namely 'Nand Lal' (petitioner herein) had visited the



spot and demanded Rs.2.5 lacs for installation of electric connection, in addition to official expenses. According to complainant he wanted to lay a trap to catch him red-handed while receiving the bribe money. Hence, the complaint to State Vigilance Bureau.

3. It is the case of the prosecution that pursuant to abovementioned complaint a trap was laid for 11.03.2026, the day fixed for payment of illegal gratification by the complainant to the above named J.E. According to prosecution on 11.03.2026 a vehicle came to the farm house of the complainant, but instead of petitioner a middle-man, namely 'Kuldeep' came and he collected Rs.1.3 lac from the petitioner, by saying that he was under the instructions of the petitioner. As per prosecution, the above mentioned middle man namely 'Kuldeep' was trapped but on inquiries he disclosed that he had collected money on the instructions of the petitioner. Hence, the prosecution against the petitioner.

4. Heard.

5. It has been contended by learned Senior counsel for the petitioner that petitioner is innocent having no nexus whatsoever with the commission of crime and that without any act, overt or covert, and without any participation in the alleged crime, he is being implicated in the present case. According to learned Senior counsel for the petitioner there is no evidence with regard to either demand of money by the petitioner or payment thereof to him, but simply because a payment has been made by the complainant to a third person, (a contractor working with UHBVN) by projecting the above mentioned money to be a bribe money the petitioner has been roped up in the present



case.

6. According to learned Senior counsel for the petitioner the proceedings taken up by the investigating agency (including the contents of the FIR) nowhere shows that the money paid by the complainant to 'Kuldeep' was a bribe money and therefore, by any stretch of imagination Sections 7, 13(1)(b) & 13(2) of Prevention of Corruption Act 1988, are not attracted in the present case. The thrust of the argument of learned Senior counsel for the petitioner has been upon the plea that the statement of 'Kuldeep' who has not been made approver in the present case, or implicated as co-accused, does not carry any probative value, but on the basis of such statement, the petitioner is being falsely implicated in the present case.

7. During the course of argument, it has been contended by learned Senior counsel for the petitioner that as per instructions issued by 'Uttar Haryana Bijli Vitran Nigam Limited', if a new connection has to be installed and the materials required for installation of new electric line is not available in the store of the department, the contractor engaged by the department can procure such material from the market and thereafter by submissions of bills seeks refund thereof. According to learned Senior counsel for the petitioner the above mentioned money which was paid by the complainant to 'Kuldeep' was meant for the same purpose, as 'Kuldeep' is a contractor working with 'Uttar Haryana Bijli Vitran Nigam Limited'. In view of above, the learned Senior counsel for the petitioner has contended that no fault can be attributed to the petitioner, and therefore, he is entitled to be benefit of anticipatory bail.

8. The learned State counsel has controverted the above mentioned



arguments. According to learned State counsel in the present case ample evidence has been collected by the investigating agency, which proves that the money paid by the complainant to 'Kuldeep' was the bribe money, asked for installation of electric connection to the premises of complainant. As per learned State counsel the conversation between the petitioner and 'Kuldeep', who had collected money from the complainant in itself is proof of the fact that the above mentioned money was the bribe money.

9. In addition to above, it has also been contended by learned State counsel that even if this stand, taken by the petitioner, is accepted to be true that money paid by the complainant to 'Kuldeep' was meant for purchase of certain items from open market, even then the above mentioned money was not supposed to be paid by 'Kuldeep' to the petitioner. Rather it should have been paid to the shop keeper in the market. According to learned State counsel the conversations between the petitioner and 'Kuldeep Singh' proves that the destination of above mentioned money was the petitioner, as the petitioner had instructed 'Kuldeep' that he would collect the money later on.

10. While highlighting the above mentioned conversation between 'Kuldeep' and petitioner, the learned State counsel has contended that direct role of the petitioner in the commission of offence is established in this case, and therefore, plea taken by the petitioner is not sustainable. It has also been contended by the learned State counsel that in order to fix role of the petitioner in the commission of offence, and to unearth the truth, and the details of other authorities involved in the above mentioned illegal activities, custodial interrogation of the petitioner is necessary.



11. The record has been perused carefully.

12. With regard to relief of anticipatory bail it is relevant to note here that in various judicial pronouncements it has been propounded by the Hon'ble Supreme Court of India that the discretion to accord anticipatory bail should be exercised sparingly.

13. With regard to above, the Hon'ble Supreme Court of India in the case of 'Srikant Upadhyay v. State of Bihar', 2024 SCC OnLine SC 282, has observed that power to grant anticipatory bail is extraordinary power, and that irrespective of the fact that in a number of cases, it has been held that bail is a rule, it cannot; by any stretch of imagination, be said that anticipatory bail is a rule.

14. The Hon'ble Supreme Court of India in the abovementioned case has further observed that rule of anticipatory bail is a question of judicial discretion depending upon the facts and circumstances of each case. According to Hon'ble Apex Court, when called upon to exercise the abovesaid power the Court concerned has to be very cautious, as the grant of interim protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation.

15. Similarly, in the case of 'Nikita Jagganath Shetty alias Nikita Vishwajeet Jadhav v. The State of Maharashtra and another', (Special Leave Petition (Criminal) No. 10255 of 2024, decided on 21.07.2024), the Hon'ble Supreme Court of India has held that anticipatory bail is an exceptional remedy and it ought not be granted in a routine manner. As per the Hon'ble Supreme Court, there must exist strong reasons for extending indulgence of this



extraordinary remedy to a person accused of grave offence.

16. In the case of ‘Gurbaksh Singh Sibbia etc. v. State of Punjab’ 1980 SCC (2) 565, the Hon'ble Supreme Court of India held that:-

- (1) The power under Section 438, Criminal Procedure Code, is of an extraordinary character and must be exercised sparingly in exceptional cases only.
- (2) In addition to the limitations mentioned in Section 437, the petitioner must make out a special case for the exercise of the power to grant anticipatory bail.
- (3) Where a legitimate case for the remand of the offender to the police custody under Section 167(2) can be made out by the investigating agency or a reasonable claim to secure incriminating material from information likely to be received from the offender under Section 27 of the Evidence Act can be made out, the power under Section 438 should not be exercised.

17. In the preset case it is relevant to note that the alleged trap was laid by the officials of State Vigilance Bureau, Karnal on 11.03.2026, and on the same day ‘Kuldeep’ had collected money from the complainant. In the backdrop of above mentioned developments the conversations between the petitioner and ‘Kuldeep’ dated 11.03.2026 are very much material. The transcript of the above mentioned recorded conversations has been placed on record by the respondent State, the same is reproduced as under:-

Nandlal: Hello.

Kuldeep: Yes Sir, 1,30,000/- has been given.

Nandlal: Ok.



Kuldeep: Yes Sir, will you come to my office or will come any other place.

*Nandlal: **Keep it with you, I will take it myself tomorrow.***

Kuldeep: Tomorrow, Sir.

Nandlal: Yes.

Kuldeep: Alright (End)

18. A bare perusal of above mentioned conversations between the petitioner and 'Kuldeep' shows that on receipt of money 'Kuldeep' had duly informed the petitioner that he had received Rs.1,30,000/-, and in response thereto, during the course of conversation, it was conveyed by the petitioner to 'Kuldeep' that he (petitioner) would collect the money himself.

19. The above mentioned conversation in itself speaks in volume about the involvement of petitioner in the collection of money. Since money for the purchase of any material, with regard to installation of line, was not supposed to be paid to the petitioner, in all probable possibilities the above mentioned money was bribe money. Otherwise also the petitioner being a public servant is supposed to explain under what circumstances he was going to receive a huge money paid by a consumer. Qua above mentioned aspect no convincing explanation is coming forward from petitioner.

20. It is also relevant to mention here that right of custodial interrogation of an accused is a valuable right of an investigating agency, and if the investigating agency is deprived of such right in the present case the investigation may end up to a dead end, and may not take a proper headway. Thus, it is hereby observed that in the given fact-situation custodial interrogation of the petitioner is necessary, to fix his role and the extent of



involvement in the commission of crime.

21. Taking into consideration the gravity of offence committed by the petitioner, allegations with regard to direct involvement of the petitioner in the commission of crime and other mitigating circumstances, it is hereby held that in the instant case no ground exists, wherein the extraordinary jurisdiction vested in this Court, by virtue of Section 482 of BNSS, should be exercised and the benefit of anticipatory bail should be accorded to the petitioner.

22. As a sequel to above mentioned discussion, it is hereby held that the petitioner is not entitled to the benefit of anticipatory bail. Thus finding no merit, the present petition is hereby **dismissed** accordingly.

23. However, it is made clear that any observations recorded in the present case, shall have no bearing on the merits of the case.

(SURYA PARTAP SINGH)
JUDGE

01.06.2026
Manoj Bhutani

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