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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(103)

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Date of decision: 08.05.2026

Narinder Singh

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sankalp Dhanda, Advocate,
with Mr. Balraj Sharma, Advocate,
and Mr. Rajender Kumar, Advocate,
for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this second petition under Section 482 BNSS (Section 438 Cr.P.C.) is for the grant of anticipatory bail to the petitioner in case FIR No.17 dated 07.12.2025 under Sections 7 and 7A of the Prevention of Corruption Act and Sections 61(2) and 308(2) of BNS (corresponding Sections 120-B, 384 IPC) registered at Police Station Anti Corruption Bureau, Panchkula, Haryana.

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

I, Nitin, son of the late Shri Rajesh Kumar, resident of village Asan, District Rohtak, currently live in a rerited house at house number 68-G, ground floor, Dream Home, Kishanpura, Dhakoli, and I do house maintenance work. On December 5, 2025, while traveling from Jind to Panchkula in my car, I received a call on my mobile

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number 9068134567 from a person named Paras, mobile number 9779115214. Paras informed me that the E.O. Wing, Sector 12, Panchkula Police, had arrested a person named Abhishek and my friend Rahul Agarwal, resident of City Heights, Peer Muchhalla, Dhakoli, District Mohali, in a loan fraud case. Paras also informed me that he was with Rahul and the I.O. in the case is Sub Inspector Zora Singh. Who has said that if Rahul gives Rs. 7 lakh, then a loose case will be made against him and he will be helped, so that he will be released quickly and will not be beaten. If the 7 lakh rupees are not paid, several more cases will be registered against Rahul. Paras also made a conversation with Rahul on his phone, who somehow convinced me to give 7 lakh rupees to Zora Singh through Paras. I avoided Paras with vague answers at the time, but he continued to call me and make me talk to Rahul. Yesterday, I went to the E.O. Wing in Sector 12, Panchkula, where Paras Introduced me to Rahul, who was in police custody. He told me that he had used Paras's phone to ask several other acquaintances to arrange money so that the 7 lakh rupees could be given to the police. He then asked me to arrange 1.50/2 lakh rupees and give it to Paras, promising to return it later. Paras also introduced me to Zora Singh, who asked me to go and arrange a settlement with Paras. Under repeated pressure from Paras, I went to the E.O. Wing yesterday and handed over 50,000 rupees to Paras, who then went inside and handed it to an employee named Narendra Singh in front of me. Paras then told me that he was trying to arrange a settlement for Rahul for only 3 lakh rupees, but he didn't listen to me, and now he would have to pay 7 lakh rupees. A recovery fee would be imposed on Rahul and the rest would be a police bribe. When I expressed reluctance to pay more money, Paras offered to pay 1.50-2 lakh rupees in installments, of which Paras called me today with 75,000 rupees. Rahul's father passed away a month and a half ago, and I don't feel this injustice is being done to him. I don't want to bribe the police or Paras, and I

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want them caught red-handed. I have also recording of the Paras, which I will present to you later. Legal action should be taken.

3. During the course of the investigation, Paras Aggarwal was apprehended while accepting a sum of Rs.75,000/- from the complainant to be handed over to SI Zora Singh and ASI Narinder Singh (petitioner) as illegal gratification for softening the investigation and to save the complainant's friend-Rahul Aggarwal who was arrested by SI Zora Singh in FIR No.184 dated 01.08.2025 under Sections 318(4), 336(3), 338, 340, 61(2) BNS, 2023, Police Station Sector 14, Panchkula from physical harm and custodial violence.

4. The learned counsel for the petitioner contends that the present FIR is a gross abuse of the process of the law and is an outcome of personal grudge with the complainant and Rahul Aggarwal. The petitioner has no role or involvement in FIR No.184 dated 01.08.2025. It is SI Zora Singh who is the investigating officer of the said case and is already in custody. In fact, Rahul Aggarwal had lodged an FIR No.336 dated 15.08.2025 under Sections 120-B, 406, 420, 467, 468 and 471 IPC registered at Police Station Chandimandir, District Panchkula (Annexure P-3) against his wife and father-in-law/Sh. Ashok Kumar for commission of certain offences and it was in that case/FIR that the petitioner was the investigating officer. During the course of the investigation in FIR No.336 dated 15.08.2025 (Annexure P-3), the name of Rahul Aggarwal appeared in the disclosure statement of Sh. Ashok Kumar, the father-in-law of Rahul Aggarwal upon which the

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name of Rahul Aggarwal, the complainant of the said case, came to be arrayed as an accused by the petitioner. Co-accused/Paras Aggarwal was in contact with the petitioner for following up the investigation in FIR No.336 dated 15.08.2025 (Annexure P-3) on behalf of his (complainant's) friend- Rahul Aggarwal. The call records and WhatsApp messages do not in any way inculcate the petitioner. It is a case where there is no demand and acceptance of illegal gratification. The present bail application is the second one on behalf of the petitioner and has been filed as it has been found that there are no call recordings containing any incriminating material against the petitioner. As the petitioner is ready and willing to join the investigation, he is entitled to the concession of anticipatory bail.

5. The learned counsel for the State, on the other hand, contends that the allegations against the petitioner are duly mentioned in the FIR and have been solidified during the course of the investigation. In fact, it is mentioned in the Fir itself that Rs.50,000/- were handed over to the petitioner by Paras Aggarwal in the presence of the complainant. The telephonic conversations between the complainant-Nitin Hooda and the accused persons, namely, Paras Kumar Aggarwal, SI Zora Singh and ASI Narinder Singh leave no doubt whatsoever that the petitioner alongwith SI Zora Singh is involved in the demand and acceptance of illegal gratification. The present second application has been filed without any material change in the circumstances after the first one came to be argued at length and withdrawn on 01.04.2026 (Annexure P-6). Therefore, the second petition is not maintainable without any



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material change in circumstances. As the investigation is to be taken to its logical conclusion and certain vital aspects of the case are to be ascertained from the petitioner, his custodial interrogation is certainly necessary and therefore, the petitioner is not entitled to the concession of anticipatory bail.

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

7. In '**Devinder Kumar Bansal versus The State of Punjab 2025(4) SCC 493**', the Hon'ble Supreme Court held that anticipatory bail can be granted only in exceptional cases where the Court is *prima facie* of the view that the accused has been falsely enroped in the crime or the allegations are politically motivated or frivolous. The relevant extract of the judgment is as under:-

21. The parameters for grant of anticipatory bail in a serious offence like corruption are required to be satisfied. Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has been falsely enroped in the crime or the allegations are politically motivated or are frivolous. So far as the case at hand is concerned, it cannot be said that any exceptional circumstances have been made out by the petitioner accused for grant of anticipatory bail and there is no frivolity in the prosecution.

8. This Court in '**Kewal Singh versus State of Punjab 2025 NCPHHC 74008**', while following the dictum of law laid down in **Devinder Kumar Bansal (supra)**, held as under:-

9. It is well settled law, and reaffirmed by the Hon'ble Supreme Court in *Devinder Kumar Bansal v. State of Punjab, 2025 INSC*

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320 that anticipatory bail in cases involving offences under the Corruption Act is to be granted only in the rarest of rare circumstances. The court is required to be *prima facie* satisfied either of false implication, political vendetta, or manifest frivolity in the complaint.

9. 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



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by the High Court granting anticipatory bail to the accused should be quashed and set aside. In many anticipatory bail 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.”

10. Coming back to the facts of the present case, it is apparent from a bare reading of the FIR that the complainant handed over Rs.50,000/- to one Paras Aggarwal who handed it over to the petitioner in his (complainant's) presence. The recordings of the phone conversations between the complainant, accused-Paras Kumar Aggarwal, SI Zora Singh

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and ASI Narinder Singh which have been brought on record vide reply dated 31.03.2026 in CRM-M-9579-2026 (first petition by the petitioner seeking the concession of Anticipatory bail) establish that both the petitioner and SI Zora Singh were demanding money from the complainant so that the investigation would soften against the complainant's friend-Rahul Aggarwal who had been arrested by SI Zora Singh in FIR No.184 dated 01.08.2025 under Sections 318(4), 336(3), 338, 340, 61(2) BNS, 2023, Police Station Sector 14, Panchkula.

11. During the pendency of the first anticipatory bail application (CRM-M-9579-2026), the State filed a reply by way of an affidavit of Shukar Pal, DSP, State Vigilance and Anti corruption Bureau, Panchkula dated 18.03.2026. The relevant extract thereof is as under:-

5. That on being asked by the raiding team, accused Paras Aggarwal stated that he had to hand over the above said bribe money to ASI Narendra Singh (Petitioner) and SI Jora Singh of the Economic Offences Wing, Sector-12, Panchkula. Then, accused Paras Aggarwal made a WhatsApp call and WhatsApp messages from his mobile phone to ASI Narinder Singh (Petitioner) in the presence of the Gazetted Officer and the shadow witness, in connection with the bribe amount.

6. That during further investigation on 07.12.2025 itself, the accused Paras Aggarwal was arrested by following due process of law. A mobile phone of I-Phone-16 make containing SIM No. 9779115214 of the above said accused Paras Aggarwal, was recovered during his personal search which was taken into possession by the investigating officer. In his statement, accused Paras Aggarwal stated he had received the bribe money of Rs.

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75,000/- for handing over to the petitioner and collect his own share from him. Accused Paras Aggarwal also stated that on 05.12.2025, he had received a phone call from the mobile phone of SI Jora Singh and he was made to talk to Rahul Agarwal, who informed that he had been arrested by SI Jora Singh and was on a police remand. He called accused Paras Aggarwal to Economic Offences Wing, Panchkula and when he reached there, SI Jora Singh and Rahul Agarwal were sitting there. SI Jora Singh sent Paras and Rahul Agarwal into another room to meet ASI Narinder Singh (Petitioner). During conversation about the case, the Petitioner demanding Rs. 8 Lakh and finally settled at Rs. 7 Lakh. On 06.12.2025 also when Paras and complainant Nitin Hooda (Petitioner) for settlement of bribe money. On meeting, he took them in his room and received bribe of Rs. 50,000/- from Paras. He also asked about the remaining amount. Thereafter on 07.12.2025, the petitioner had made a phone call to Paras in respect of bribe money. In the said conversation the petitioner has clearly admitted to the effect that he was also involved in the matter.

7. That during investigation on the same day i.e. 07.12.2025, accused SI Jora Singh had joined in the investigation and produced his mobile phone of Samsung make containing two mobile sim nos, 8529353000 and 9992231832. The record of FIR No. 184 dated 01.08.2025 under sections 318 (4), 336 (3), 338, 340, 61(2) BNS, Police Station Sector-14, Panchkula was also taken into possession vide seizure memo dated 07.12.2025.

8. That during the course of the investigation on 15.12.2025, the complainant produced recording device, which contains conversation between the complainant, accused Paras, SI Jora Singh and ASI Narinder Singh (Petitioner), alongwith transcript of abovesaid conversation, were taken into

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possession by the Investigating Officer. The mobile phones recovered from Paras Aggarwal and Jora Singh have been sent to the CFL, Panchkula, for examination on 29.01.2026. Application has been filed before the competent Court with request to grant permission to take voice sample of accused Paras Aggarwal, which is listed for hearing on 04.04.2026.

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13. That, during the course of investigation, CDRs of Mobile No.97791-15214 (Paras Aggarwal), Mobile No. 85293-53000 & 99922-31832 (SI Jora Singh), Mobile No. 94175-65959 (ASI Narinder Singh) and Mobile No. 85578-39000 & 90681-34567 (complainant Nitin Hooda), the CAFs of said mobile numbers and Certificates u/s 63(4)C of BNSS of the Nodal officers concerned have been obtained on 06.02.2026.

14. That, the investigating agency has continuously made a number of extensive efforts to apprehend the accused SI Jora Singh and ASI Narinder Singh (Petitioner). Several notice were served on 08.12.2025, 18.12.2025 and 13.01.2026. In reference to said notice, SI Jora Singh requested that he had received notice under section 350 CrPC from Ld Sessions Court, Charkhi Dadri and therefore, he may be allowed to join investigation on 19.01.2026. The notice of ASI Narender Singh was handed over to MHC Sachin as he had gone to Yamunanagar and Saharanpur. Since the accused police officials did not turn up on 19.01.2026, therefore, notice was given to Inspector Sukhbir Singh, In-charge EOW, Panchkula to ensure presence of accused officials on 20.01.2026. The investigating agency made sincere efforts in search of accused persons by visiting their homes and other possible hide outs, however, they were not traced. Assistance of vigilance Sub-unit Kaithal and Yamunnagar was also taken in this regard.

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However, despites continuous vigil and multiple raids to execute arrest, both the accused continue to evade the process of law. The investigating agency has got issued arrest warrants of both accused persons by learned Chief Judicial Magistrate Panchkula for the third time on 13.03.2026 for 25.03.2026. Thereafter, the proceedings for declaration of accused persons as Proclaimed offenders shall be initiated against them in case they remain at large till 25.03.2026.

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17. That the role of petitioner has been instrumental along with co-accused in their conspiracy to obtain bribe from the complainant which is clear from the records of voice calls and Whatsapp chat and other evidence collected during investigation. The petitioner has been absconding and continuously evading the process of law. The custodial interrogation of petitioner is quite necessary for proper investigation of the case for the reason inter alia to recover his mobile phone and the amount of Rs. 50,000/-which has taken as bribe money from the complainant, to apprehend co-accused still at large to prevent loss of evidence. Voice-samples of petitioners shall be obtained and sent to FSL for matching. There is strong likelihood of tampering with evidence and influencing witnesses particularly when investigation is at nascent stage and material recoveries are yet to be affected.

12. As regards the filing of a second anticipatory bail application, in ***‘Mohd. Sharif Siddiqui @ Sharif Siddiqui versus The State of Uttar Pradesh & Anr. (Special Leave to Appeal (Crl.) No(s).11316 of 2022 decided on 07.12.2022)’***, the Hon’ble Supreme Court has held as under:-



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Considering the fact that the earlier anticipatory bail application was preferred and the same came to be withdrawn with liberty to surrender before the trial Court and apply for regular bail, thereafter second anticipatory bail application shall not be maintainable, more particularly, in the absence of any changed circumstances.

2. The High Court has rightly rejected the second anticipatory bail application.

3. The Special Leave Petition stands dismissed.

4. Pending applications stand disposed of.

13. It is apparent that during the course of hearing of the first application (CRM-M-9579-2026) when this Court was not inclined to grant anticipatory bail to the petitioner, the learned Senior counsel chose to withdraw the said application. The instant second application has been filed without any material change in circumstances. When an accused withdraws his application for the grant of anticipatory bail, it implies that the Court was not inclined to grant anticipatory bail and therefore, the application was withdrawn so as to enable the accused to surrender and seek regular bail. A second application seeking anticipatory bail can only be filed in exceptional circumstances where there are material changes in the facts and circumstances after the first application seeking the grant of anticipatory bail was withdrawn.

14. In the present case, there are absolutely no changes in circumstances warranting interference by this Court. To the contrary,

though, SI Zora Singh has been arrested the petitioner who is an ASI has



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been absconding for the last almost 06 months. Instead of surrendering and seeking the regular bail, after he had withdrawn his first bail application, he has filed the instant second petition. It appears that the investigating agency is deliberately not arresting him as he is one of their own.

15. Further, as the offence is *prima facie* established against the petitioner as well, certain material aspects have to be ascertained from him and the investigation is to be taken to its logical conclusion, his custodial interrogation is certainly required.

16. In view of the aforementioned facts and circumstances, I find no merit in the present petition and the same stands dismissed.

17. 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.

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

May 08, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No