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

CRM-M-30941-2026

VIJAY KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CRM-M-31374-2026

KULDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

DECIDED ON: 02.07.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Paras Jagga, Advocate,
for the petitioner (in CRM-M-31374-2026), and
Mr. Ashutosh Gupta, Advocate,
for the petitioner (in CRM-M-30941-2026).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

By this common order, both the aforementioned petitions,
i.e. CRM-M-30941-2026 and CRM-M-31374-2026 shall stand disposed
of.

1. Present petitions have been filed by the petitioners namely
Vijay Kumar and Kuldeep Singh, seeking grant of anticipatory bail, in
case, FIR No.10, dated 30.04.2026, under Sections 7 and 8 of Prevention



of Corruption Act, 1988, registered at Police Station Vigilance Bureau, District Patiala.

2. Counsel for the petitioner (in CRM-M-30941-2026), submits that petitioner – Vijay Kumar is, in fact, complainant in the present case. It is contended that, after paying the alleged bribe amount, petitioner lodged a complaint against ASI Kuldeep Singh (petitioner in CRM-M-31374-2026).

3. Learned counsel further invites the attention of this Court to Section 8 of the Prevention of Corruption Act, 1988 (as amended by the Prevention of Corruption (Amendment) Act, 2018), and reads out the said provision, which is reproduced hereunder, for reference:-

8. Offence relating to bribing of a public servant.—

(1) Any person who gives or promises to give an undue advantage to another person or persons, with intention—

(i) to induce a public servant to perform improperly a public duty; or

(ii) to reward such public servant for the improper performance of public duty,

shall be punishable with imprisonment for a term which may extend to seven years or with fine or with both:

Provided that the provisions of this section shall not apply where a person is compelled to give such undue advantage:

Provided further that the person so compelled shall report the matter to the law enforcement authority or investigating agency within a period of seven days from the date of giving such undue advantage:

Provided also that when the offence under this section has been committed by commercial organisation, such commercial organisation shall be punishable with fine.



Illustration.— A person, ‘P’ gives a public servant, ‘S’ an amount of ten thousand rupees to ensure that he is granted a license, over all the other bidders. ‘P’ is guilty of an offence under this sub-section.

Explanation.— It shall be immaterial whether the person to whom an undue advantage is given or promised to be given is the same person as the person who is to perform, or has performed, the public duty concerned, and, it shall also be immaterial whether such undue advantage is given or promised to be given by the person directly or through a third party.

(2) Nothing in sub-section (1) shall apply to a person, if that person, after informing a law enforcement authority or investigating agency, gives or promises to give any undue advantage to another person in order to assist such law enforcement authority or investigating agency in its investigation of the offence alleged against the later.”

4. Counsel for the petitioner-Vijay Kumar, further submits that, in view of Section 8 of the Prevention of Corruption Act, 1988, petitioner could not have been arrayed as an accused in the present case. It is contended that immediately after making the alleged payment of bribe amount to ASI Kuldeep Singh, petitioner – Vijay Kumar lodged a complaint with the competent authority within a span of approximately three minutes. Learned counsel argues that once complaint was made within the period contemplated under Section 8 of the Act, petitioner – Vijay Kumar could not be prosecuted.

5. Learned counsel appearing for petitioner-Kuldeep Singh (in CRM-M-31374-2026) submits that, apart from the call detail records and their transcription reproduced in the status report, which is appended with



the present petition, there is no independent material connecting the petitioners with the alleged offence.

6. It is further contended that prosecution is required to prove its case beyond reasonable doubt during the course of trial and, for that purpose, custodial interrogation of either of the petitioners is wholly unnecessary. Thus, counsel prays that both the petitioners be granted the concession of anticipatory bail in the present case.

7. *Per contra*, learned State counsel submits that there is ample and cogent material against both the petitioners. Referring to the transcription of the telephonic conversation appended with the status report, it is argued that there is a clear admission by petitioner Vijay Kumar regarding payment of the bribe amount to petitioner Kuldeep Singh. It is further submitted that Kuldeep Singh, in the said conversation, has also acknowledged receipt of a part of the amount.

8. Learned State counsel further contends that protection envisaged under Section 8 of the Prevention of Corruption Act would be available only where the person making the undue advantage, reports the matter, in accordance with the statutory requirements, and not in the facts and circumstances of the present case. It is, therefore, submitted that neither of the petitioners deserves the extraordinary relief of anticipatory bail.

9. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.



10. Having perused the provisions of Section 8 of the Prevention of Corruption Act, 1988, this Court finds substance in the submissions advanced by learned State counsel. The material placed on record *prima facie* indicates that the alleged payment of illegal gratification was not an isolated instance and, on earlier occasions also, Vijay Kumar had allegedly paid bribe amounts to Kuldeep Singh without lodging any complaint. Complaint appears to have been made subsequently, on account of a dispute or dissatisfaction regarding the work for which the illegal gratification had been paid.

11. Be that as it may, transcription of the telephonic conversation, as reproduced in the status report, *prima facie* discloses incriminating material against both the petitioners. In such circumstances, no case is made out for grant of the extraordinary and discretionary relief of anticipatory bail to the petitioners. Granting such relief in the facts of the present case would send wrong message in the society. **Accordingly, both the petitions are dismissed.**

12. A photocopy of this order be placed on the file of other connected case.

02.07.2026

Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>