



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

212

CRM-M-25985-2025

Date of decision: May 20th, 2025

Pradeep Singh Dhillon

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vinod Ghai, Senior Advocate
with Mr. Arnav Ghai and Mr. Dhruv Trehan, Advocates
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail in FIR No.8 dated 07.04.2025 under Section 7A of The Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, District S.A.S. Nagar.

2. The FIR in question (Annexure P-1) was lodged on the complaint of one Vivek Singh Bisht, who alleged that he approached an agent, one Sukhwinder Singh alias Sukhi, for obtaining a driving licence despite being unable to drive properly. The complainant alleged that the agent demanded a sum of ₹5,000/-, out of which ₹2,500/- was paid in advance, with the assurance that the driving licence would be arranged without due process, citing "setting" with officials in the RTA office.

3. Pursuant to this, a trap was laid and the said agent was allegedly apprehended red-handed while receiving the advance bribe amount. While initially no public official was named in the FIR, subsequent investigation revealed irregularities in the functioning of the

Sarathi Digital Portal used for processing driving licences, and linked the credentials of the present petitioner, posted as Regional Transport Officer (RTO), to the approvals of a large number of licences processed without due verification.

4. Learned senior counsel appearing for the petitioner has vehemently contended that the petitioner has been falsely implicated in the instant case without any direct or cogent material implicating him in the alleged misconduct. It has been pointed out that a perusal of the FIR reveals that the petitioner is not named therein, nor was any specific role attributed to him.

5. It has been further submitted that the petitioner was posted as RTO at Sector 76, S.A.S. Nagar, whereas the driving test was conducted at the testing track located at Sector 82, S.A.S. Nagar. The actual verification and conduct of driving tests were performed by other designated officials, namely Jagdish Singh (Senior Assistant) and Dalbir Singh (Clerk), who had exclusive access to the Sarathi system through their own OTP-based credentials. The role of the petitioner, it is urged, was confined to formal online approval of the applications after verification was marked as complete by the subordinate staff.

6. Further, learned senior counsel has contended that the OTPs received on the mobile device of the petitioner were routine system-generated security codes as part of standard login authentication and that the mere receipt of such OTPs does not indicate any criminal intent or involvement. It has been pointed out that no evidence has been brought forth to show any financial transaction, call detail record, or digital communication between the petitioner and either the agent or any beneficiary applicant.

7. It has still further been asserted that the statements of officials Jagdish Singh and Dalbir Singh recorded under Section 183 of the BNSS are unreliable, having surfaced only after the trap failed to secure evidence against any public official. It has been argued that these statements are motivated and appear to be attempts to shift blame from themselves.

8. Learned senior counsel has also referred to certain office orders dated 06.11.2024, 20.11.2024, and 03.04.2025 (Annexures P-3 to P-5), whereby the petitioner, as per the learned senior counsel, took proactive steps to secure the Sarathi Portal, including implementing the directive from the State Transport Commissioner withdrawing powers of RTOs to create new user IDs and restricting access to the premises and system only to authorised personnel.

9. It has thus been argued that the petitioner took all reasonable precautions, had no direct involvement in the alleged bribe or illegal issuance, and that his custodial interrogation in the circumstances would not be warranted.

10. Status report by way of affidavit of Deputy Superintendent of Police, Vigilance Bureau Unit S.A.S. Nagar, has been filed in Court, which is taken on record subject to just exceptions. Copy supplied to the counsel opposite.

11. *Per contra*, learned State counsel, on instructions as well as while drawing the attention of this Court to the affidavit, which has been filed in the Court today, has contended that enough incriminating material has been collected during investigation showing the petitioner's involvement in a larger network of corruption involving systemic abuse of the Sarathi Portal. It has been submitted by the learned State counsel

that the petitioner is not merely a supervisory officer but is the final approving authority under the digital licensing process, and his Sarathi ID credentials were found to have been used to issue over 100 Driving Licences without proper verification. Crucially, these approvals were authenticated via OTPs consistently routed to the mobile number registered in the name of the petitioner.

12. Learned State counsel, on further instructions, has contended that a private person, Rajvir Singh, was found operating the Sarathi Portal using the credentials of the petitioner, even on days when the petitioner was not present in office. This unauthorized access, it is argued, could not have taken place without the knowledge and active facilitation of the petitioner. Several officials have recorded statements under Section 180 of the BNSS affirming that Rajvir Singh was acting under the instructions of the petitioner and that the OTPs were routinely passed to him for fraudulent approvals.

13. Learned State counsel has also stressed the necessity of custodial interrogation to recover digital evidence, identify the full chain of beneficiaries, and prevent tampering with electronic records. It is submitted that in case the petitioner is extended the concession of anticipatory bail at this stage, it would seriously hamper the integrity of the investigation.

14. I have heard learned counsel for the parties and perused the relevant material on record.

15. The role attributed to the petitioner is not of a passive or peripheral nature. Although it is true that the petitioner is not named in the FIR, the investigation has unearthed *prima facie* material suggesting systemic abuse of the Sarathi Portal through his login credentials,

authenticated via OTPs linked to his registered mobile number. The fact that over 100 applications were approved through the credentials of the petitioner, including on days he was not present in office, raises serious and compelling concerns which cannot be brushed aside as procedural anomalies. The contention of the petitioner that he was unaware of the misuse is, at this stage, not credible, particularly in view of the consistency and frequency of the approvals, and the statements of other staff members of RTA, who have directly implicated him in enabling a private individual, Rajvir Singh, to operate the portal. These allegations, if proven, demonstrate deliberate circumvention of official procedures and abuse of digital systems to extend illegal favour in exchange for monetary gain-conduct that strikes at the very root of public trust in governance.

16. The requirement of custodial interrogation is, therefore, justified not merely for recovery of digital evidence but for a broader probe into the full extent of the network involved, including the agents, intermediaries, and possibly other complicit public officials. The investigation is at a nascent and sensitive stage, and any protection from arrest at this juncture would risk compromising the integrity of the investigation.

17. In *Davinder Kumar Bansal Versus The State of Punjab 2025 LiveLaws SC 291*, the Hon'ble Supreme Court has cautioned against grant of anticipatory bail in corruption cases, holding that such discretion must be exercised sparingly and only in rare and exceptional circumstances, especially where the accused is a public servant holding a position of trust. The Hon'ble Apex Court has further held that corruption in public offices strikes at the core of democratic governance

and must be dealt with firmly.

18. In the present case, no exceptional circumstance has been demonstrated to justify the extraordinary concession of anticipatory bail.

19. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to accept the prayer made in the instant petition for grant of anticipatory bail to the petitioner.

20. Accordingly, the instant petition stands dismissed.

21. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 20th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes