



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234

CRM-M No.56365 of 2024
DATE OF DECISION :17th FEBRUARY, 2025

Ranjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present : Mrs. G. K. Mann, Sr. Advocate with
Mr. Anmol Jeevan Singh Gill, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab with
ASI Maan Singh, Police Station Vigilance Bureau, Amritsar

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MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of regular bail by way of present petition under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 in case FIR No.0043 dated 26.09.2024 under Section 7 Prevention of Corruption Act, 1988 as amended vide Prevention of Corruption (Amendment) Act, 2018 registered at Police Station Vigilance Bureau, Range Amritsar, District Amritsar.

2. Learned senior counsel for the petitioner submits that false implication of the petitioner in the instant case is evident from the fact that the complainant, at whose instance the FIR in question was lodged, did not support the case of the prosecution during trial, as a result of which, he was declared hostile.

3. In support, learned counsel has drawn the attention of this Court to the deposition of the complainant, which has been placed on



record today. It has been further submitted that even though the shadow witness was not declared hostile, however, there were many material discrepancies in his testimony, which would create serious dent in the case of the prosecution. Learned senior counsel has, therefore, prayed for extending the concession of bail to the petitioner as in the given circumstances there can be now no apprehension of the petitioner influencing/intimidating the witnesses or tampering with the evidence.

4. *Per contra*, the learned State counsel while opposing the prayer and submissions made by the counsel opposite has not disputed the custody period of the petitioner who has been in custody since 26.09.2024 nor has he disputed that the complainant, at whose instance the FIR in question came to be registered, has been declared hostile during trial. However, it has been contended by the learned State counsel, on instructions, that the petitioner was a Junior Engineer who had demanded illegal gratification from the complainant; it was a trap case wherein the petitioner was caught red handed along with the tainted money. On further query, learned State counsel, on instructions, has not disputed that 14 prosecution witnesses remain to be examined and the 02 most material witnesses, i.e., the complainant and the shadow witness, have already been examined.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner was allegedly caught red handed along with the tainted money after he demanded illegal gratification from the complainant. However, as not disputed by the learned State counsel, the



complainant failed to support the case of the prosecution, leading to him being declared hostile. The possibility of the trial concluding in the near future looks remote, with 14 prosecution witnesses still remaining to be examined; there can be no risk of the petitioner intimidating or influencing the witnesses as the remaining witnesses are merely formal in nature.

7. In the facts and circumstances enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner as no further incarceration of the petitioner is required.

8. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

9. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

17th February, 2025
'raj'

(MANJARI NEHRU KAUL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>