



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

CRM-M-38785-2025 (O&M)
Date of decision: 22nd July, 2025

Kamalpreet Sharma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vinod Ghai, Senior Advocate
with Mr. Arnav Ghai, Advocate for the petitioner.

Mr. H.S. Deol, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail in case FIR No.20 dated 04.06.2025 under Section 7 of the Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau, Phase I, Mohali, District SAS Nagar.

2. Learned senior counsel appearing for the petitioner has, at the outset, submitted that the petitioner, serving as an Assistant Sub Inspector of police, has been falsely implicated in the present FIR (Annexure P-2) on the allegations that he demanded and accepted a bribe of ₹20,000/- from one Satish Kumar in lieu of exonerating him in FIR No.148 dated 30.05.2025 under Section 304-A of the IPC.

3. Drawing attention to the FIR in question, learned senior counsel has contended that the petitioner had no occasion to demand the alleged bribe, as he had already relinquished charge of Police Station,

Saneta, pursuant to orders of the Senior Superintendent of Police dated 03.06.2025, and had joined his new posting at Police Station, Sohana. It is argued that this factual development undermines the very foundation of the case of the prosecution.

4. It has still further been argued that the case against the petitioner is evidently fabricated and motivated by inter-departmental rivalry. Attention is also drawn to the fact that although the ruqqa was allegedly dispatched to the Police Station at around 3:45 PM on 04.06.2025, it was strangely recorded in the General Diary only at 4:35 PM, despite the Police Station being barely a couple of kilometres away. This delay, it is contended, casts a serious doubt on the credibility of the prosecution's version.

5. Learned senior counsel has also vehemently submitted that the allegation regarding the petitioner fleeing from the spot after being apprehended, is wholly implausible, particularly when it is the prosecution's own case that the entire raiding team had surrounded the petitioner at the relevant time.

6. On being put to notice, Mr. H.S. Deol, Sr. Dy. Advocate General, Punjab who is present in Court, has appeared on behalf of the State and has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted that the allegations against the petitioner are grave and well substantiated. It is contended that the petitioner was caught red-handed by the Investigating Agency while accepting a bribe of ₹20,000/-. However, in a brazen attempt to evade arrest, the petitioner allegedly ran over the on-duty Police Inspector with his vehicle and fled from the spot. Resultantly, an FIR was registered against the petitioner under Section 307 of the IPC.

7. Still further, it has been submitted that the complaint against the petitioner was made on 01.06.2025, followed by a preliminary verification. The demand for illegal gratification had been made by the petitioner prior to his transfer to Police Station, Sohana. It has still further been submitted, on instructions, that the entire occurrence was captured on CCTV installed at the relevant location, thereby furnishing direct evidence of the involvement of the petitioner in the offence.

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

9. The Hon'ble Supreme Court has consistently held that anticipatory bail in cases involving corruption by public servants should be granted sparingly and only in exceptional circumstances, bearing in mind the deleterious impact such offenses have on public administration and institutional integrity.

10. In the present case, prima-facie serious and specific allegations have been levelled against the petitioner, a serving ASI, of misusing his official position for personal gain by demanding illegal gratification in exchange for extending undue official favour. The material on record reveals that a trap was laid and the petitioner was apprehended while accepting the bribe. Rather than submitting himself to the legal process, he is alleged to have attempted to escape by running over an on-duty Police Inspector with his car, an act which indicates his utter disregard for the rule of law.

11. The explanation offered by the learned senior counsel for the petitioner regarding the petitioner's transfer to another Police Station, even if factually accurate, does not per-se negate the possibility of the alleged demand and acceptance of bribe having taken place prior

thereto. The alleged delay in GD entry, as pointed out by the learned senior counsel for the petitioner, does not by itself point to any fabrication, particularly when weighed against the serious nature of the allegations and the availability of electronic evidence, such as CCTV footage, which allegedly captures the incident.

12. The role attributed to the petitioner, prima facie undermines the credibility of law in law-enforcement agencies and also suggests deep rooted corruption at the grassroots level. Such conduct cannot be viewed with leniency, nor does the present case present any exceptional circumstances warranting the extraordinary concession of anticipatory bail to the petitioner.

13. In view of the gravity of the allegations, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner. The petition stands dismissed. 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.

(MANJARI NEHRU KAUL)
JUDGE

July 22, 2025

rps

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