



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

CRM-M-20400-2025

Date of Decision:19.05.2025

Dinesh Kumar

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Rahul Gahlian, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. H.S Kasan, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No.03, dated 29.01.2025, registered under Sections 308(2) of B.N.S and Section 7 of Prevention of Corruption Act, Sections 318(4), 338, 336(3) and 340(2) of B.N.S and Section 13(1)(b) read with Section 13(2) of Prevention of Corruption Act (added later on), Police Station ACB, Ambala District, Anti Corruption Bureau, Haryana (Annexure P-1).

2. Learned counsel for the petitioner contends that at relevant time, the petitioner was acting as an Assistant Excise and Taxation Officer in the office of Deputy Excise and Taxation Commissioner, Kaithal. He neither demanded any bribe from the complainant nor had harassed the complainant in any manner. He further contends that the petitioner had only send some

correspondences to the revenue authorities, to safeguard the interest of his department and had written a letter No.1064 dated 17.12.2024 to Tehsildar Gulha for attachment/marketing red ink endorsement on the property of the complainant and thereafter, the land was attached. Even, Tehsildar sent a communication dated 23.01.2025 to the petitioner in this regard. Due to this, the complainant was inimical towards him and falsely involved him in the present case. He further contends that the petitioner was working as an Assistant Excise and Taxation Officer and had no powers to attach or stay the process of attachment of the property and had performed his duties, as per law. The petitioner was arrested in present case on 29.01.2025 and after completion of investigation, the challan has been presented against him. He further contends that the complainant in the present case is a habitual offender and the following five FIRs were registered against him, which is as follows:-

(1) FIR No.218, dated 23.06.2007, under Sections 506, 447, 382, 336, 323, 285, 148,149 of IPC and 25, 25(1),54 and 59 of Arms Act, registered at Police Station Pehowa, District Kurukshetra.

(2)FIR No. 59, dated 19.03.2018, under Section 306 of IPC, registered at Police Station Cheeka, District Kaithal.

(3) FIR No.241, dated 20.08.2019, under Sections 61 and 78 of Punjab and Excise Act, registered at Police Station Bhawanigarh, District Sangrur.

(4) FIR No.155 of 2019,registered at Police Station Samana, District Patiala.

(5) FIR No.37, dated 06.02.2021, under Sections 148,149 and 379-A of IPC, registered at Police Station Cheeka, District Kaithal.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by

learned counsel for the petitioner on the ground that the petitioner had demanded bribe from the complainant and was caught red handed with bribe money i.e. Rs.1,40,000/-, which was received by him from the complainant for getting his land released from attachment.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. No doubt, the allegations against the petitioner are serious in nature, but the petitioner is stated to be in custody for the last about 04 months. The challan has already been presented against him and there is no material to show that the petitioner may influence the witnesses of the prosecution and may abscond from the process of law.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

19.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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