

2025:PHHC:144380



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

222

CRM-M-50755-2025 (O&M)

Date of decision: 16.10.2025

Sukha Shayak @ Sukhdev Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Prateek Pandit, Advocate for the petitioner.
Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

CRM-37333-2025

Allowed as prayed for. Annexure P3 is taken on record, subject to just exceptions.

Main Case

1. Prayer in the present petition filed under Section 483 BNSS, 2023, is for grant of regular bail to the petitioner in case FIR No.24 dated 27.05.2025, registered under Sections 7, 7A of the Prevention of Corruption Act and Section 61(2) BNS, at Police Station Vigilance Bureau, Range Jalandhar.
2. Learned counsel contends that the petitioner has been in custody for about 5 months. He alleges false implication in the case, as the permission was granted by the Patwari, 5 days prior to the registration of the FIR for which he is stated to have accepted the illegal gratification of Rs.4000/- on his behalf. Challan was presented on 23.07.2025, charges have not been framed and in all there are 17 prosecution witnesses. He is not involved in any other case.

3. The custody certificate dated 15.10.2025, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for 4 months and 17 days.

4. Learned State counsel opposes the bail on the ground that there is specific demand raised by the petitioner for which the amount was recovered from him during trap that was laid. However, he is unable to controvert the submissions with regard to stage of the case and petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for 4 months & 17 days; not involved in any other case; challan has been filed on 23.07.2025, charges have not yet been framed and in all there are 17 prosecution witnesses, the trial is likely to take a considerable time, further incarceration of the petitioner would be violative of his right enshrined under Article 21 of the Constitution of India, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned, if not required in any other case and shall abide by the following conditions:-

(i) The petitioner will not tamper with the evidence during the trial.

(ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.

(iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.

(iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.

(v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts

to the Court or to any police officer or tamper with the evidence in any manner.

(vi) The petitioner shall not in any manner misuse his liberty.

(vii) The petitioner shall furnish his address and mobile number by way of an affidavit to the trial Court and not change the same till conclusion of trial and if for any reasons, he seeks to change either of the aforesaid, it shall be done only with prior information to the learned trial Court.

(viii) The petitioner shall not leave the country without prior permission of the trial Court.

(ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

16.10.2025

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No