

CRM-M-33131-2025

2025:PHHC:103829



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
220+224

Date of Decision 11.08.2025

(1) CRM-M-33131-2025 (O & M)

Bijender (EASI)

.... Petitioner

V/s

State of Haryana

...Respondent

(2) CRM-M-40655-2025 (O & M)

Anil @ Anil Kumar

.... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sandeep Kumar Yadav, Advocate,
and Ms. Sangeeta Yadav, Advocate (in CRM-M-33131)
and Mr. Shashi Kant Gupta, Advocate (in CRM-M-40655)
for the petitioner(s).

Mr. T.P. Singh, Sr. DAG, Haryana.

Mr. Aseem Aggarwal, Advocate, for the complainant.

JASJIT SINGH BEDI, J. (Oral)

This order shall dispose of two criminal miscellaneous petitions
i.e. CRM-M-33131-2025 and CRM-M-40655-2025 as they arise out of the
same FIR.

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2. The petitioner-Bijender (EASI) (in CRM-M-33131-2025) and the petitioner-Anil @ Anil Kumar (in CRM-M-40655-2025) seek the grant of regular bail under Section 483 of BNSS, 2023 in case bearing FIR No.71 dated 08.04.2025 under Sections 7 of the Prevention of Corruption Act, 1988 and Section 308(2) of BNS, 2023, registered at Police Station Sector 17/18 Gurugram, District Gurugram.

3. For the sake of convenience, the facts are being taken from the petition bearing No. CRM-M-33131-2025.

4. The present FIR came to be registered on the complaint of Gulab Singh and reads as under:-

TO SHO P.S. Sector-17/18 Gurugram, Sir, I Gulab Singh Sahu son of Sh. Sham Sahu am resident of village Bathiya, Post Putah, Police.station Mani Gachhi, District Darbanga Bihar now temporarily residing in front of One-Q building, Sector-18, Gurugram in a temporary hut and running a Tea, Paratha and cigarette Shop, Hawaldar Rajbir of police station 18 used to come to my shop and used to threatened me to shut the shop and he also used to took up the things from my shop: I said sorry to Rajbir and requested him then Rajbir asked me to pay Rs.5000/- per week in lieu of running of shop. I was helpless and said yes to him. Thereafter, Rajbir used to come on every week to my shop and he used to take Rs.5000/- in cash. Thereafter, constable Ajay of ERV Staff and SPO Anil also started coming to my shop and they also started threatening to close the shop and in the night they asked me to close the shop. I was also helpless before them but in order to run the shop I also started them paying sometime Rs.1000/- or Rs.500/- per



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*week to them. When I felt the loss, then I installed one camera and I started preparing their video of taking cash of Rs.1000/- and Rs.500/- to Hawaldar Rajbir, Anil and Ajay, when they come to my hut. I will handover the same to you in the pen-drive. SPO Anil also asked me to send the money in the bank account of one someone. I will also give the details of same. I also known to ASI Bijender of Sector-18 MM, for last 4-5 years, he also used to threatened me to close the shop and he also used to take Rs. 10,000/-in cash and once I deposited money in the bank account. I am fed-up from the harassment and threatening of the police and I want to take action against them.
Sd/- Gulab Singh.*

3. The learned counsels for the petitioners contend that the petitioners have been falsely implicated in the present case. The allegations are baseless. The CCTV footage has been fabricated. As the petitioners are in custody since 09.04.2025 but none of the 13 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, they are entitled to the concession of bail.

4. The learned counsel for the State alongwith the learned counsel for the complainant contend that serious allegations have been levelled against the petitioners and their co-accused of threatening the complainant to shut his shop in case they are not paid a weekly bribe of Rs.5,000/-. The entire occurrence has been captured on CCTV footage. As the offence is *prima facie* established, the petitioners are not entitled to the concession of



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bail. They, however, concede that the petitioners are in custody since 09.04.2025 but none of the 13 prosecution witnesses has been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioners and their co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioners are in custody since 09.04.2025 but none of the 13 prosecution witnesses has been examined so far. Therefore, the Trial of the present cases is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioners is not required.

7. Thus, without commenting upon the merits of the case, the present petitions are allowed and the petitioners, namely, Bijender (EASI) (in CRM-M-33131-2025) and Anil @ Anil Kumar (in CRM-M-40655-2025) are ordered to be released on regular bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. If any attempt whatsoever is made by the petitioners and/or their family members/friends to contact/threaten/intimidate any of the witnesses of the present occurrence, the State/complainant shall be at liberty to move an application for cancellation of bail granted vide this order.

9. In addition, the petitioners (or anyone on their behalf) shall prepare an FDR in the sum of Rs.50,000/- each and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

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10. The present petitions stand disposed of.
11. The pending application(s), if any, shall stand disposed of accordingly.
12. A photocopy of this order be placed on the file of the case (CRM-M-40655-2025) titled as 'Anil @ Anil Kumar versus State of Haryana'.

August 11, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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