



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

**Reserved on 28.07.2025
Pronounced on: 30.07.2025
CRM-M-27350-2025**

1.

Vishal DeepPetitioner

Versus

Central Bureau of InvestigationRespondent

2.

**CRM-M-24601-2025
Pronounced on: 30.07.2025**

Balbir SinghPetitioner

Versus

Central Bureau of InvestigationRespondent

3.

**CRM-M-24633-2025
Pronounced on: 30.07.2025**

Balbir SinghPetitioner

Versus

Central Bureau of InvestigationRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Argued by : Mr. Vinod Ghai, Sr. Advocate with
Mr. Pragyat Bhardwaj, Advocate,
Ms. Kashish Sahni, Advocate and
Mr. Arnav Ghai, Advocate
for the petitioner in CRM-M-27350-2025.

Mr. P.S. Ahluwalia, Advocate and
Mr. Keerat Dhillon, Advocate
for the petitioner in CRM-M-24601-2025 and
CRM-M-24633-2025.

Mr. Ravi Kamal Gupta, Special Public Prosecutor
for the respondent-CBI.

MANJARI NEHRU KAUL, J.

1. The present petitions have been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') seeking regular bail by petitioners Vishal Deep and Balbir Singh in FIR No.RC0052024A0033 dated 22.12.2024 registered under Section 7-A of the Prevention of Corruption Act, 1988 (hereinafter referred to as 'PC Act') and Section 61(2) read with Section 238 of the Bharatiya Nyaya Sanhita, 2023 (Sections 7 and 12 of the PC Act added lateron), at Police Station CBI/ACB, Chandigarh, and FIR No.RC0052024A0034 of even date registered for the same offences, alleging demand and facilitation of bribe from accused in a financial fraud case, commonly referred to as the Himachal Pradesh Scholarship Scam. As per the case of the prosecution, two written complaints dated 22.12.2024 were received : one by Bhupinder Kumar Sharma, alleging that a person named Rahim demanded illegal gratification of Rs.55 lakhs on behalf of petitioner Vishal Deep, Assistant Director, Enforcement Directorate (ED), and another by Rajnish Bansal, similarly alleging a demand of Rs.60 lakhs by the same petitioner and co-accused.

2. Upon verification of the complaints, two separate FIRs were registered. During the investigation, it surfaced that both complaints implicated the same group of persons, and hence a joint trap operation was conducted. Petitioner Vishal Deep was posted in Shimla as the investigating officer (IO) in the said Scholarship Scam case, and is alleged to have demanded bribes in exchange for not arresting the

complainants, who were themselves accused in the said scam.

3. Petitioner Balbir Singh, a Deputy Superintendent of Police (DSP) in the CBI, is alleged to have facilitated the communication and logistics in the alleged conspiracy. The petitioners, both senior government officials, are accused of serious misconduct during the discharge of their official duties.

4. The report received from the PGIMER, Chandigarh, regarding medical condition of petitioner Balbir Singh, in compliance of order dated 03.06.2025 of this Court, has been opened, perused and taken on record subject to all just exceptions.

Submissions on Behalf of the Petitioner Vishal Deep in CRM-M-27350-2025

5. Learned Senior Counsel for the petitioner has argued that the petitioner has been falsely implicated and no recovery has been made at his direct instance. Further, the entire case rests on circumstantial and documentary evidence; no bribe money was recovered from the petitioner. It has also been asserted that even as per the challan, the recovery was made from one Joginder Singh at the instance of Yashdeep, a friend of the petitioner. Furthermore, despite two trap teams being deployed at Aero City, Zirakpur and Paras Hospital respectively, no arrests or recoveries were made from the petitioner at the scene.

6. It has been contended that the petitioner is being made a scapegoat for the misdeeds of other higher officials.

7. It has also been submitted that the petitioner has already

been granted bail in one of the FIRs (No.RC0052024A0034) and, considering the joint nature of the trap, further incarceration of the petitioner would serve no useful purpose, especially since charges have not been framed and the final report has already been presented on 15.03.2025.

Submissions on Behalf of the Petitioner Balbir Singh in CRM-M-24601-2025 and CRM-M-24633-2025

8. Learned counsel for petitioner Balbir Singh has submitted that the only role attributed to the petitioner is limited to facilitation, and there is no allegation of any direct demand or recovery of bribe from him. Learned counsel has further argued that the petitioner was not named in the FIR at the initial stage and was later implicated based on an alleged audio conversation, which, as per him is inconclusive. In addition, it has been urged by the learned counsel that the petitioner is suffering from serious medical ailments, including chronic kidney disease and a history of renal transplant. Interim bail was earlier granted to him on medical grounds, and the petitioner never misused the said concession and continued to cooperate with the investigation.

9. It has lastly been submitted by the learned counsel that the entire case against the petitioner rests on electronic/digital evidence, and, thus, his further incarceration would not be required. The investigation has concluded with the final report having been presented. A prayer has, therefore, been made for enlarging the petitioner on bail *moreso*, keeping in view his medical condition.

Submissions on Behalf of the Respondent-CBI

10. *Per contra*, learned Special Public Prosecutor for the CBI has vehemently opposed the prayer and submissions made by the counsel opposite by emphasising that both the petitioners are senior law enforcement officers—petitioner Vishal Deep is from ED and petitioner Balbir Singh from CBI—entrusted with investigating a huge financial scam, instead they abused their position for personal gain.

11. It has been further submitted that petitioner Vishal Deep directly demanded illegal gratification from the complainants under assumed identities (such as 'Rahim'), using encrypted communication application like Zangi to conceal his involvement.

12. Further, two vehicles used in the crime—one registered in the name of petitioner Vishal Deep and another in the name of his brother Vikas Deep—were recovered and tested positive with phenolphthalein corroborating the operation/trap laid by the prosecution and the subsequent recoveries of the bribe.

13. It has also been argued by the learned Special Public Prosecutor for the CBI that the role of petitioner Balbir Singh is not peripheral; he coordinated communication, facilitated meetings, and deliberately availed leave on the days crucial to the conspiracy. His presence is further corroborated through CDRs and CCTV footage from meetings at Hotel Lalit, Chandigarh. Learned Special Public Prosecutor for the CBI has still further asserted that the complexity and premeditated nature of the offence are further demonstrated by the coordinated use of technology, assumed identities and recovery of

Rs.1.25 crores from co-accused Vikas Deep (brother of petitioner Vishal Deep).

14. It has been emphasised by learned Special Public Prosecutor for CBI that even assuming that no direct recovery was made from the petitioners, their further incarceration is necessitated given the gravity of misconduct, serious concerns of the accused tampering with evidence, and the systemic corruption involved.

15. This Court has carefully considered the submissions made by the counsel for the parties and also perused the material on record including the gravity of allegations against the petitioners.

16. It is undisputed that the petitioners, while holding high ranking positions in premier investigating agencies, are alleged to have committed acts amounting to severe abuse of official power. The allegations against petitioner Vishal Deep of demanding illegal gratification in exchange for manipulating outcome of the investigation and influencing arrests strike at the heart of the institutional integrity. The evidence on record *albeit* circumstantial in some parts, paints a detailed picture of a premeditated and well orchestrated conspiracy.

17. The deployment of encrypted messaging application (Zangi), use of pseudonyms, coordination of multiple persons, and the strategic use of personal and vehicles belonging to family members of petitioner-Vishal Deep, for carrying out such operations, *prima facie* underscore the deliberate and strategically engineered nature of the alleged offence. The fact that the petitioners engaged with the accused persons outside of official channels and created an environment

conducive to illegal exchanges—even if some parts of the trap did not materialise into immediate arrest—does not exonerate them at this stage.

18. Regarding petitioner Balbir Singh, while the demand for bribe is not directly attributed to him, the material gathered during investigation reveals his active involvement in the execution of the conspiracy. His role went beyond passive facilitation—he allegedly arranged communication, scheduled meetings, and strategically planned his absence from official duty to further the illegal agenda.

19. Furthermore, the recovery of Rs.1.25 crores from a close relative of petitioner Vishal Deep, *albeit* not from his personal search, strengthens the nexus between the bribe amount and the role of the petitioners in the alleged offence.

20. This Court is conscious of the settled principle that bail is the rule and jail is the exception. However, in cases involving public trust, corruption, and institutional breach by law enforcing officers, such exceptions must be tempered by the imperative to preserve the integrity of the process and prevent any likelihood of tampering with evidence or witnesses, especially when the complainants are yet to be examined.

21. In view of the seriousness of the allegations, the nature of evidence collected, the position and influence wielded by the petitioners at the time of the offence in question, and the need to ensure fair trial, this Court does not deem it fit to extend the concession of bail to either of the petitioners at this stage. Accordingly, all the petitions

are hereby dismissed.

22. In view of the report received from PGIMER, Chandigarh dated 02.07.2025, which is reproduced hereinunder, the petitioner's medical condition is stable and he can be adequately managed within the confines of the jail:

“

- *The cardiac status examination of the patient at PGIMER reveals that, the 2D Echocardiography shows normal LVEF ECG and Holter test reports are within normal limits. On personal evaluations, patient didn't have any complaints of angina at present.*
- *However the patient had refused to undergo CTCA (CT coronary angiogram), because of his post renal transplantation status. In view of the patient's refusal to undergo CTCA and all other cardiac evaluations of the patient are within normal limits, CTCA can be differed as of now.*
- *The USG Abdomen and pelvis with Doppler evaluations shows that parameter of the transplanted graft kidney is within normal limits, the renal functions tests are also within normal limits.*
- *The board is of the opinion that, both the cardiac status and renal allograft status of the patient are currently stable and within normal limits. However regular follow-ups in every 2-3 months on OPD basis are essential as the patient is on triple immunosuppressive therapy. which requires close monitoring and medication titration.”*

23. Needless to add that in case petitioner-Balbir Singh requires any immediate medical attention, the authorities concerned shall ensure that he is taken to the appropriate medical facility without any delay. Furthermore, the authorities concerned shall ensure that petitioner Balbir Singh is provided all necessary medical treatment and regular follow-ups as per the recommendation of PGIMER,

Chandigarh.

24. 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.

30.07.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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