

**IN THE COURT OF UPINDER SINGH JANDU,  
ADDITIONAL SESSIONS JUDGE, SANGRUR.  
(UID Number PB00842)**

|                     |                                        |
|---------------------|----------------------------------------|
| Case Type           | Bail Application                       |
| Registration Number | 2737 Date of Registration : 02.08.2025 |
| CNR Number          | PBSG01006609-2025                      |
| Date of Decision    | 08.08.2025                             |

ASI Jasvir Singh number 1676/Sangrur P.S Sangrur aged about 50 years son of Jora Singh resident of near Khadial Kothe Road, Khadial District Sangrur.

...Applicant/accused

Versus

State of Punjab

...Respondent

**Application for grant of Regular Bail(Second)**

FIR No. 08 Dated 24.02.2025.

Under Sections 7, 7A PC Act 1988 amended Act 2018  
and Section 61 (2) BNS 2023.

Police Station Vigilance Bureau Patiala.

Present: Sh. N.S.Dhaliwal, Advocate for applicant/ accused.  
Sh. Hakikat Rai Goyal, Additional Public Prosecutor for the State.

**ORDER**

1. Present second regular bail application has been filed by the applicant/accused in a case FIR number 08 Dated 24.02.2025 Under Sections 7, 7A PC Act 1988 amended Act 2018 and Section 61 (2) BNS 2023 Police Station Vigilance Bureau Patiala.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put in appearance. Record has been produced by =====

(Upinder Singh Jandu)  
Additional Sessions Judge,  
Sangrur. (UID Number PB00842)

3. I have heard the learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State and have gone through the record.

**Arguments advanced by the learned counsel for the Applicant/accused:**

4. The learned counsel for the applicant/accused has submitted that previous regular bail application of the applicant/accused was declined on the score that the investigation of the case is going on and the challan is yet to be presented. Now the challan has already been presented but sanction for prosecution of the applicant/accused is awaited. The applicant/accused is neither required for interrogation or investigation purposes. Till date, no report of voice sample has been obtained. Even otherwise, there is no record of any talks between applicant/accused and complainant Jaswinder Kaur in this case. There is stated to be a voice transcript of applicant/accused with co-accused Harpreet Singh who has already been granted bail. Accused/applicant is in custody since 26.05.2025. Nothing has been recovered from the applicant/accused. Further detention of the applicant/accused will amount to punishment before trial, which is not the intention of law. It has been prayed that applicant/accused be released on regular bail.

**Arguments advanced by Learned Additional Public Prosecutor for the State:**

5. On the other hand, learned Additional Public Prosecutor for the State has opposed the bail application on the ground that the

(Upinder Singh Jandu)  
Additional Sessions Judge,  
Sangrur. (UID Number PB00842)

applicant/accused being a police official can overawe the evidence in this case and can threaten the witnesses. Moreover there is no change in circumstances after dismissal of the first regular bail application of the applicant/accused and has prayed that a grave and serious offence has been committed by the applicant/accused and therefore, applicant/accused does not deserve the leniency of regular bail.

**Factual matrix of the Case:**

6. The criminal law was set into motion on the allegations that ASI Jasvir Singh had registered a case bearing FIR number 44 dated 24.06.2024 under Sections 307, 324, 323, 148, 149 IPC at Police Station Cheema against the husband of the complainant namely Daljit Singh and son of the complainant namely Sukhvir Singh and other persons. Raids were conducted in the said FIR by Investigating Officer ASI Jasvir Singh and SI Manjit Singh, SHO on 25.06.2024, 01.07.2024, 10.07.2024, 16.07.2024 but accused were not arrested. On 25.06.2024, co-accused Harpreet Singh went to the house of complainant Jaswinder Kaur and told her that if she produces her husband and son before the police, the police would beat them and also told that if she wanted to save them from beatings, she would have to pay an amount of Rs. 60,000/- as bribe. Then complainant told that she is not having such huge amount. Then Harpreet Singh demanded bribe amounting to Rs. 40,000/- but not less than Rs. 40,000/- as officers concerned are senior officers. Complainant has recorded the said conversation in her mobile. Harpreet Singh talked with ASI Jasvir Singh regarding bribe and in this regard, complainant made

(Upinder Singh Jandu)  
Additional Sessions Judge,  
Sangrur. (UID Number PB00842)

video in her phone. On 02.07.2024, Harpreet Singh received Rs. 10,000/- from the complainant and took her to Police Station Cheema. Complainant was standing outside the police station and Harpreet Singh went inside the police station. After some time Harpreet Singh came out from the police station and told that he has given the money to the SHO and has told the police to give the remaining amount soon. Harpreet Singh told the complainant that the police will not do anything. Harpreet Singh admitted in his statement that he demanded bribe amounting to Rs. 60,000/- and then Rs. 40,000/- from the complainant at the instance of ASI Jasvir singh and SHO Manjit Singh. He has also admitted his voice as well as voice of complainant and ASI Jasvir Singh in the recordings. It is clear from the recordings that Harpreet Singh in connivance with ASI Jasvir Singh took bribe at the instance of ASI Jasvir Singh.

**Findings:**

7. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record, coupled with the assistance rendered, it is pertinent to make mention that the accused/applicant is in custody since 26.05.2025. The challan in the present case has already been presented. However, the perusal of the challan reveals that sanction for prosecution has not yet been issued in the case till date. On being enquired from the Investigating Officer, he has stated that the sanction will come after the report of FSL regarding voice sample is received. The matter with regard to obtaining of voice sample is

(Upinder Singh Jandu)  
Additional Sessions Judge,  
Sangrur. (UID Number PB00842)

yet pending before this Court for 14.08.2025. The obtaining of voice sample and thereafter obtaining the report of FSL will involve considerable time. In this view of matter, the applicant/accused is neither required for investigation or interrogation purpose. Otherwise also, as per the case of prosecution, there is no direct conversation between complainant and applicant/accused. Reliance is placed on the findings in **Pankaj Kumar @ Meenu Malhotra vs. State of Punjab 2023(3) Law Herald 1896(P&H) wherein Hon'ble Punjab and Haryana High Court has** held that, “we cannot lose sight of the fact that the investigating agency has already completed investigation and the charge sheet is already filed before the Special Judge, CBI, New Delhi. Therefore, their presence in the custody may not be necessary for further investigation. We are of the view that the appellants are entitled to the grant of bail pending trial on stringent conditions in order to allay the apprehension expressed by CBI.”

8. Hence, from the entire gamut of circumstances discussed supra, there is sufficient ground showing the change in circumstances of the case as after the presentation of challan, the sanction report is awaited, which will be presented after considering the report of FSL qua voice samples in the case which are yet to be obtained. No useful purpose would be served by detaining the accused/applicant in custody for an indefinite period. Courts must not deny bail solely as a punitive measure intended to serve as a pretrial deterrent. Pretrial incarceration cannot be a replica of post-conviction sentencing. Ergo without meticulously

(Upinder Singh Jandu)  
Additional Sessions Judge,  
Sangrur. (UID Number PB00842)

examining the evidence on record and without commenting upon the merits of the case, applicant/accused is subjected to bail on his furnishing bail bonds and surety bonds to the tune of Rs.1 Lac with one surety in the like amount to the satisfaction of the learned Illaqa/Duty Magistrate, subject to the following terms and conditions:

- (i) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person(s) acquainted with the facts of the case, so as to dissuade him/them from disclosing the true facts to the court or to any police officer or in any other way tamper with the prosecution evidence;
- (ii) Applicant shall not leave the country without prior permission of the Court;
- (iii) Applicant shall remain present before the Trial Court on each and every date of hearing, unless granted exemption; and
- (iv) Applicant shall fully cooperate with the Trial Court for expeditious conclusion of the trial proceedings.

Any observation made in this order shall have no effect on the merits of the case. Police record be returned. File be consigned to the record room.

**Announced: 08.08.2025**

Rakesh Kumar, Stenographer Grade-I.

**(Upinder Singh Jandu)**  
**Additional Sessions Judge,**  
**Sangrur.**  
 (UID Number PB00842)

(Upinder Singh Jandu)  
 Additional Sessions Judge,  
 Sangrur. (UID Number PB00842)