

IN THE COURT OF BHAWNA JAIN,
SPECIAL JUDGE, CBI COURT,
CHANDIGARH
UID No.HR0169

CNR No. : CHCH01-004982-2026
Bail Application No. : 2253 of 2026
Date of Institution : 28.07.2026
Date of Order : 03.08.2026

Hitesh Kumar, Aged about 29 years, son of Sh.Ashok Kumar, resident of
Flat no.304, GH-19, Sector 27, Panchkula (UID No.7841 7453 0916)
(Presently confined in Burail Jail, Chandigarh).

..... Applicant.

Versus

CBI, ACB, CHD office at Sector 30, Chandigarh.

..... Respondent.

FIR No. : RC 0052026A0014
Dated : 06.06.2026
Under Secs.: 7 of Prevention of
Corruption Act, 1988 (as amended in
2018)
Police Station: CBI, ACB, Chandigarh.

Application under section 483 BNSS for
grant of regular bail.

Argued by : Sh. Terinder Singh Advocate, counsel for accused-applicant
Hitesh Kumar

Sh. Narender Singh, Public Prosecutor for the CBI

Bhawna Jain
Special Judge, CBI Court,
Chandigarh/03.08.2026
UID No.HR0169

Pursuant to the directions issued by the Hon’ble Apex Court in **Zeba Khan v State of U.P. 2026 INSC 144**, the case summary is set out in the table below:-

Sr. No. Description	Sr. No. Description
A) Case Details: (i) FIR No. and Date: (ii) Police Station, District and State (iii) Sections invoked: (iv) Maximum punishment prescribed	RC0052026A0014 Dt. 06.06.2026 CBI, ACB, Chandigarh 7 of Prevention of Corruption Act, 1988 (as amended in 2018) 7 years with fine
(B)Custody & Procedural Compliance (i) Date of Arrest: (ii)Total period of custody undergone:	 07.06.2026 52 days
(C) Status of Trial. (i) Stage of proceedings (Investigation)/Charge sheet/ Cognizance/Framing of charges/Trial): (ii) Total Number of witnesses cited in the chargesheet (iii) Number of prosecution witnesses examined:	 Pre-charge & checking of challan papers 24. NIL
(D) Criminal Antecedents (i) FIR No. & Police Station (ii) Sections (iii) Status(Pending/Acquitted/ Convicted)	 NIL
(E) Previous Bail applications: (i) Court: (ii) Case No. (iii) Outcome of case	 NIL
(F) Coercive Processes (i) Whether any Non-bailable warrant was issued: (ii)Whether declared a proclaimed offender:	 No No

ORDER

By virtue of this application accused-petitioner Hitesh Kumar has sought for concession of regular bail under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 in case FIR no.RC 0052026A0014 dated 06.06.2026 for alleged commission of offence punishable under Section 7 of Prevention of Corruption Act, 1988 (as amended in 2018).

BRIEF FACTS:

2. The present case bearing FIR No.RC 0052026A0014 dated 06.06.2026 under section 7 of Prevention of Corruption Act, 1988 (as amended in 2018) was registered on the basis of written complaint dated 04.06.2026 of complainant Amarjeet Singh and verification report dated 06.06.2026 of Sub-Inspector Arpit Bishnoi, CBI, ACB, Chandigarh. After registration of the case, a successful trap was laid on 06.06.2026 during which accused Hitesh Kumar, ASI Chandigarh, Police Station Sector 39, Chandigarh was apprehended by the CBI in presence of the independent witnesses while accepting illegal gratification of ₹40,000/- from the complainant against the demanded bribe money of ₹50,000/- for release of his Maruti Suzuki Baleno car bearing registration No.CH01-BN-1364 and for not registering a case against him (complainant) in an accident matter.

3. After completion of the investigation, final report was submitted before the court on 09.07.2026 and as on today, the case is

fixed for 13.08.2026 for scrutiny of copy of challan and awaiting sanction qua the accused.

FILING OF BAIL APPLICATION:

4. It is the case of the accused-applicant that he is in custody since the date of his arrest, i.e, 07.06.2026. The complainant got registered the present case in a well planned criminal conspiracy with CBI officials to falsely implicate the petitioner while presenting a concocted version. The petitioner has already filed an application seeking preservation of the call details of his mobile phone and that of the complainant, which would prove his defence. The investigation is complete and final report has already been submitted by the CBI citing therein as many as 24 witnesses and as such it is evident that the conclusion of the trial is likely to take sufficient long time. The petitioner is a permanent resident of Panchkula and there is no apprehension of his fleeing from the process of law. With these facts, a prayer is made to allow the application.

REPLY TO THE BAIL APPLICATION BY THE CBI:

5. To the contrary, it is alleged that there is sufficient oral and documentary evidence against the accused-applicant, thereby establishing the demand of bribe raised by him and acceptance thereof from the complainant. The applicant was apprehended while accepting the illegal gratification of ₹40,000/- inside his car and the bribe money was recovered from the glove box of his car in the presence of the witnesses.

Since the trial is to be conducted on day to day basis as per the provisions of law, the trial is likely to conclude at an early date. The accused-applicant being a police officer, CBI has a strong apprehension that he would influence its material witnesses, if released on bail. Even during the post trap proceedings dated 6/7.06.2026, the accused-applicant had openly exhorted in the presence of trap team members that after his release from the jail, he would be having the only target to shoot the complainant. After filing of the charge sheet by the CBI, the complainant had also approached the Investigating Officer of the case in his office while informing him that he had received threats indirectly on behalf of the accused-applicant. With these facts, a prayer is made to decline the bail application.

POINTS OF ARGUMENTS ON BEHALF OF THE ACCUSED-APPLICANT:

6. It is urged by learned counsel for the accused-applicant that he is in custody since the date of his arrest, i.e, 07.06.2026. The investigation of the case has been completed and the final report under section 193 BNSS has already been filed by the prosecution, citing therein as many 24 witnesses and as such the conclusion of the trial is likely to take sufficient long time. Voice sample report and hand wash report are still awaited. The accused-applicant has already been dismissed from service and as such he is not in a position to influence the witnesses. With these submissions, a prayer is made to release the accused-applicant on regular bail.

POINTS OF ARGUMENTS ON BEHALF OF THE CBI:

7. To the contrary, it is urged by learned PP for the CBI that mere filing of the final report by the prosecution cannot be the sole ground for bail of the accused-applicant. It is urged that the conduct of the applicant during post trap proceedings suggests that he had threatened the complainant before the trap team members to shoot him after his release on bail and the complainant is under the constant state of fear. Said threat given by the accused-applicant to the complainant during post trap proceedings suggests his grudge against the complainant and merely his dismissal from the service would not mellow down the apprehension of the prosecution of influencing its witnesses by the applicant, if released on bail, as he would be having his links in the police. With these submissions, a prayer is made to decline the bail application.

FINDINGS:

8. It is a conceded fact that the investigation in the case is complete and final report of investigation has already been submitted to the court for trial of the accused. Chemical report and voice report are still awaited. The court has reasons to believe that the conclusion of the trial will take a sufficient long time. There are no allegations that the accused-applicant is a previous convict or any other case of similar nature was registered against him, or he has ever attempted to tamper with the evidence or abused his status of being a police officer during the investigation of this case. He has been languishing in custody since

07.06.2026. No useful purpose would be served by detaining him behind the bars any more.

9. So far as the threat allegedly given by the accused-applicant to the complainant during the post-trap proceedings in the presence of the trap team members as reflected in the reply to the bail application is concerned, on perusal of the post-trap memo and the statement of the complainant recorded under section 161 Cr.P.C, it is revealed that the recital qua above said threat allegedly given by the accused-applicant to the complainant during the post-trap proceedings is missing. The above said recital is not there even in the statement of independent witnesses, who were joined during the trap laying proceedings.

10. Learned PP for the CBI after discussing the matter with the IO telephonically submitted before the court that the alleged threat is nowhere depicted in the above trap memo or in the statement of either of the witnesses and the IO has stated that during interaction only, the accused-applicant had uttered so. The alleged threat has not been incorporated in the final report submitted by the prosecution under section 193 BNSS.

11. So far as the fact mentioned in the reply to the bail application that after filing of the charge sheet by the CBI also, the complainant had approached the IO in the CBI office and informed him that he had received threats indirectly on behalf of the accused-applicant is concerned, there is no prima facie evidence annexed along with the

reply to the bail application regarding the action taken by the IO on the alleged information. As such court has every reason to admit the applicant to bail.

CONCLUSION:

12. In view of the above said discussion, the court is inclined to allow the bail application. Accordingly, the bail application filed by the accused-applicant is **allowed** and he is ordered to be released on regular bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of this court/Duty Judge.

Bonds not furnished. Papers be tagged with the main file.

Pronounced:
03.08.2026

(Bhawna Jain)
Special Judge, CBI Court,
Chandigarh.
UID No.HR0169

Sanjeev Dogra, Stenographer Grade I