

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34433-2026 (O&M)

HARCHARAN SINGH BHULLAR @ H.S BHULLAR ... Petitioner

Versus

CENTRAL BUREAU OF INVESTIGATION ...Respondent

1	The date when the judgment is reserved	05.08.2026
2	The date when the judgment is pronounced	10.08.2026
3	The date when the judgment is uploaded on the website	10.08.2026
4	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment and reasons thereof.	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vijay Kumar Jindal, Senior Advocate with
Mr. Manan Khetarpal, Advocate,
Mr. Yashvirdhan Goyal, Advocate,
Mr. Vijayveer Singh, Advocate and
Mr. Abhishek Shukla, Advocate for the petitioner

Mr. Ravi Kamal Gupta, Advocate with
Mr. Akashdeep Singh, Special Public Prosecutor for
Respondent-CBI

Mr. Gurminder Singh Salana, Advocate for the complainant

MANISHA BATRA, J.

1. The instant one is the second successive petition for grant of regular bail as filed by the petitioner under Section 483 of BNSS in FIR No.RC0052025A0019 dated 16.10.2025 registered under Sections 7 and 7-A of



Prevention of Corruption Act, 1988 (for short “P.C. Act”) and Section 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) at Police Station CBI, ACB, Chandigarh. His previous petition bearing CRM-M-702-2026 had been dismissed on 17.02.2026.

2. As per the allegations, on 11.10.2025, the complainant Akash Batta submitted a written complaint, alleging that the present petitioner, posted as DIG Ropar Range, Punjab Police, had demanded illegal gratification from him through one Krishanu for the purpose of taking no coercive steps against the business of the complainant in case bearing FIR No.155 of 2023 registered against him at Police Station Sirhind and for securing favourable treatment. On receipt of this complaint, the respondent-CBI started verifying the allegations leveled therein in a discreet manner. During that period, the conversations between the above-named Krishanu and the petitioner were recorded. One of such conversation revealed that the petitioner had instructed Krishanu to collect an amount of Rs.8 lakhs from the complainant. The aforementioned FIR was registered on 15.10.2025. A trap was laid on 16.10.2025 at Chandigarh. Accused Krishanu was apprehended, while allegedly accepting an amount of Rs.5 lakhs from the complainant, as part of the gratification demanded by the petitioner. The petitioner was also arrested on the same day. Now challan report under Section 193 of BNSS stands filed. The prayer made by the petitioner for grant of regular bail had been declined by the Trial Court and then by this Court vide order dated 17.02.2026.



3. Learned Senior counsel for the petitioner has argued that the petitioner who is on the verge of superannuation now, has rendered service of more than 03 decades. He is in custody since 16.10.2025. He is not required for further investigation as the same stands completed. Even as per the allegations, neither direct role of the petitioner in demanding any amount of money from the complainant nor his involvement is established. No recovery has been effected at his instance. The case is based on unsubstantiated allegations only to misuse the process of Court. While disposing of his petition for special leave as filed before the Hon'ble Supreme Court against the order dated 16.02.2026, liberty was granted to him to approach this Court for grant of bail, in the event, the trial did not commence within a period of 02 months. No witness has been examined so far. The trial will take consideration time to conclude. His further incarceration would not serve any useful purpose. There are no chances of his influencing witnesses as he stands suspended from service.

4. It is further argued that it is the complainant whose antecedents are not clean as he himself is involved in 06 criminal cases. In fact, he was arrested from the jurisdiction of State of Punjab and not in UT, Chandigarh. He has separately filed a petition on this ground, which is pending. It is further argued that vide notification dated 06.11.2020, the Government of Punjab had withdrawn the general consent accorded to CBI under Section 6 of the Delhi Special Police Establishment Act, 1946 and as such, the prosecution of the petitioner could not be sanctioned without prior consent of the State of Punjab wherein the petitioner was posted and even investigation could not be conducted



by the CBI. It is also argued that since the petitioner was an Officer posted in the State of Punjab and working under it, hence, it was the State of Punjab, who was competent authority, to register FIR, to accord sanction and to prosecute him and since the prosecution is at the behest of CBI, hence it is beyond without jurisdiction. With these broad submissions, it is urged that the petition deserves to be allowed. To fortify his arguments, learned Senior counsel has placed reliance upon *Central Bureau of Investigation Vs. Chandra Nath Katya : Law Finder Doc Id # 2840675*, *Kazi Lhendup Dorji Vs. Central bureau of Investigation 1194(2) RCR (Criminal) 553*, *State of West Bengal Vs. Union of India 2024 INSC 502*, *Sanjay Chandra Vs. CBI (SC) : Law Finder Doc Id # 275589* and *Gudikanti Naraimhulu V. Public Prosecutor, High Court of Andhra Pradesh 1978 AIR Supreme Court 429*.

5. Per contra, learned Special Public Prosecutor for CBI assisted by learned counsel for the complainant has vehemently opposed the prayer made by the petitioner by submitting that the allegations of demand of illegal gratification by the petitioner from the complainant are *prima facie* established from the recorded conversations between the petitioner and co-accused Krishanu, WhatsApp record as well as the controlled call which was conducted during verification. It is submitted that the previous petition as filed by the petitioner was dismissed on merits. The petitioner has failed to point out any drastic or substantive change in the circumstances. The trial has commenced. However, the material witnesses are yet to be examined and there are chances of petitioner's influencing or intimidating such witnesses, many of whom are



Police official witnesses. It is also argued that the allegations against him are serious in nature.

6. It is further argued that the petitioner and the co-accused were arrested at Chandigarh. CBI is empowered to register FIR without consent of the State Government since the petitioner is an IPS officer working under control of Central Government. The consent of the State of Punjab to investigate the offences committed by him was, therefore, not required in law and CBI is very much competent to carry on the investigation even if the petitioner was posted in the State of Punjab or was employed in connection with the affairs of the Government of Punjab. Moreso, co-accused and petitioner were arrested from Chandigarh. It is, thus, submitted that the petition does not deserve to be allowed. To buttress his arguments, learned Special Public Prosecutor has placed reliance upon *Kanwal Tanuj Vs. State of Bihar (SC)* : *Law Finder Doc ID # 1713648*.

7. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

8. It is well settled proposition of law that while granting bail, the Court has to keep in mind the nature of the accusations, the nature of evidence in support thereof, the severity of the punishment which the conviction will entail, the character of the accused, the circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the



trial, reasonable apprehension of the witnesses being tampered with, the larger interest of the public/State and other similar considerations.

9. The petitioner has been booked for commission of offences punishable under Section 7 and 7A of the Prevention of Corruption Act. In *Niranjan Hemchandra Sashittal & Anr vs State Of Maharashtra (2013) 4 SCC 642*, it was observed by the Hon'ble Supreme Court that it cannot be stated without fear of contradiction that corruption is not to be judged by degree, for corruption mothers disorder, destroys societal will to progress, accelerates undeserved ambitions, kills the conscience, jettisons the glory of the institutions, paralyses the economic health of a country, corrodes the sense of civility and mars the marrows of governance. In our country, corruption by public servants has reached a monstrous dimension. Its tentacles have started grappling even the institutions created for the protection of the republic. In *K.C. Sareen Versus CBI (2001) 6 SCC 584*, the Hon'ble Supreme Court observed that unless those tentacles are intercepted and impeded from gripping the normal and orderly functioning of the public offices, through strong legislative, executive as well as judicial exercises, the corrupt public servants could even paralyze the functioning of such institutions and thereby hinder the democratic polity.

10. It will also be relevant to refer to some observations made by Coordinate Bench of this Court in *Dr. Subramanian Swamy v. Director, Central Bureau of Investigation (2014) 8 SCC 682* which read as follows :-



“60. corruption is an enemy of the nation and tracking down corrupt public servants and punishing such persons is a necessary mandate of the PC Act, 1988. The goal of law in the PC Act is to meet corruption cases with a very strong hand and all public servants are warned through such a legislative measure that corrupt public servants have to face very serious consequences.

70. Office of public power cannot be the workshop of personal gain. The probity in public life is of great importance. How can two public servants against whom there are chances of corruption or graft or bribe or by taking or criminal misconduct under the PC Act, 1988 can be made to be treated differently.

71. Corruption is an enemy of nation and tracking down corrupt public servant, howsoever high he may be, and punishing such person is a necessary mandate under the PC Act, 1988. The status and position of public servant does not qualify such public servant from exemption from equal treatment. The decision making power does not segregate corrupt officers into two classes as there are common cases doers and had to be tracked down by the same process of inquiry and investigation.”

11. The petitioner is alleged of committing a serious offence. The allegations in the FIR coupled with the material collected during investigation in the form of recorded conversations, verification report and the trap proceedings



prima facie make out a case for demand of gratification, direction or collection of the part of the same through the co-accused Krishanu. The contention that no recovery has been effected from the petitioner cannot be stated to be of much substance since the co-accused right is alleged to have accepted the gratification of an amount of Rs.5 lakhs on behalf of the petitioner. The material witnesses are yet to be examined. The apprehension that the petitioner may intimidate or influence such witnesses cannot be ignored, keeping in view the position which the petitioner was holding in the hierarchy of Police Department. The plea that CBI has no jurisdiction since the petitioner was arrested from the State of Punjab and the matter also pertain to that State is also not acceptable. Undoubtedly, under Section 6 of the Delhi Special Police Establishment Act, consent of the State Government has to be obtained and as per the notification dated 06.11.2020, such consent was withdrawn by Government of Punjab, but the co-accused as well as the petitioner are arrested from Chandigarh. The substantial part of cause of action has also taken place at Chandigarh. It has also come on record that the petitioner had filed a writ petition raising these issues but the same was withdrawn. While dismissing the Special Leave Petition filed by the petitioner against the previous order declining bail, the petitioner had been given liberty by Hon'ble Apex Court to move application for grant of bail, if the trial did not commence within 02 months. Charges against him stands framed and trial has commenced though no witness has been examined so far. In view of the above discussion and considering the nature of the accusations, the fact that in the event of petitioner's being enlarged on bail, there exists a



reasonable apprehension that he may attempt to influence witnesses, tamper with witness or otherwise obstruct the course of proceedings, this Court is not persuaded to exercise its discretion to extend benefit of bail to the petitioner. This Court also does not find that there is any drastic or substantive change in the circumstances from the dismissal of his previous petition. Accordingly, the petition is dismissed.

12. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

13. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

10.08.2026

Amit Sharma

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No