

2026:PHHC:023731



CRM-M-702-2026 (O&M)

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

CRM-M-702-2026 (O&M)

Harcharan Singh Bhullar @ H.S. Bhullar

....Petitioner

V/s

Central Bureau of Investigation

....Respondent

Date of Decision : 16.02.2026

Date of Uploading : 17.02.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate for the petitioner.

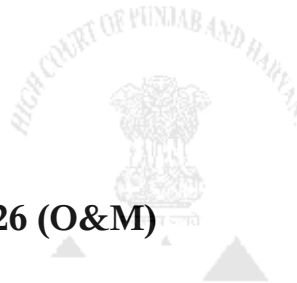
Mr. Ravi Kamal Gupta, Special Public Prosecutor CBI and
Mr. Akashdeep Singh, Special Public Prosecutor
for the respondent-CBI.

Ms. Puja Chopra, Senior Advocate with
Ms. Palak Sharma, Advocate,
Mr. Gurminder Singh Salana, Advocate and
Mr. Tapish Gupta, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. The present petition has been preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, seeking grant of regular bail in FIR No.RC0052025A0019 dated 16.10.2025 registered for the offences punishable under Section 61(2) of the Bharatiya Nyaya Sanhita read with Sections 7 and 7A of the Prevention of Corruption Act at Police Station CBI, ACB, Chandigarh.

2. The gravamen of the FIR emanates from a written complaint dated 11.10.2025 submitted by one Akash Batta (complainant), alleging that the petitioner, who at the relevant time was posted as DIG, Ropar Range, Punjab Police, had demanded illegal gratification through a private



intermediary, namely Krishanu Sharda, for securing favourable treatment in FIR No. 155/2023 registered at Police Station Sirhind and for ensuring that no coercive steps were taken against the business of the complainant. The complaint was subjected to discreet verification by the CBI. During such verification, the conversations between the complainant and the intermediary - Krishanu Sharda were recorded and a controlled call is stated to have captured the petitioner instructing the intermediary to collect an amount of ₹8,00,000/-. On the basis of the verification report dated 15.10.2025, the present FIR came to be registered and a trap was accordingly laid on 16.10.2025 at Chandigarh, wherein the co-accused – Krishanu Sharda was apprehended while allegedly accepting ₹5,00,000/- as part of the demanded bribe. The petitioner was arrested on the same day and the final report under Section 193 of the BNSS has been filed on 03.12.2025. The petitioner had earlier approached the Court of Special Judge, CBI, Chandigarh, seeking the concession of regular bail. However, the same was dismissed vide order dated 02.01.2026.

It is in this factual backdrop, the present petition has come up for receiving consideration before this Court.

3. Learned senior counsel for the petitioner has iterated that the petitioner is a decorated officer with an unblemished service record spanning more than three decades and the instant case is a result of motivated allegations. Learned senior counsel has emphasized that no recovery has been effected from the petitioner and the entire case of the prosecution rests upon the alleged recovery from a private individual who is not a public servant. Learned senior counsel has further contended that the entire case rests upon electronic evidence and the testimony of a



complainant who, according to the petitioner, has criminal antecedents lacks credibility. Furthermore, there are material improvements in the version of the complainant particularly regarding the date and manner of the alleged demand. Learned senior counsel has also questioned the legality of the arrest of the petitioner by asserting that the petitioner has been detained much earlier in the day whereas the arrest has been shown in the evening and he was produced before the Magistrate beyond the statutory period. Learned senior counsel has canvassed that the Central Bureau of Investigation has no jurisdiction to register and investigate the present case on the ground that the alleged acts pertain to the State of Punjab and no consent under Section 6 of the Delhi Special Police Establishment Act has been obtained in this regard and, therefore, this foundational defect must weigh in favour of the petitioner while considering the prayer for bail. It has been further contended that the petitioner is already on bail in a separate disproportionate assets case and has scrupulously complied with all the conditions imposed by the Court. Moreover, the petitioner is presently under suspension and holds no official position, thereby eliminating any possibility of influencing witnesses or tampering with evidence. According to learned senior counsel, the investigation stands completed, the charge-sheet has been filed and, therefore, the continued incarceration of the petitioner serves no purpose. On the strength of these submissions, the grant of *petition in hand* is prayed for.

4. *Per contra*, learned Special Public Prosecutor for the CBI has opposed the grant of bail by arguing that the demand of illegal gratification is *prima facie* borne out from the recorded conversations, WhatsApp data and the controlled call conducted during verification. Learned counsel has



further iterated that the co-accused has accepted the tainted amount on behalf of the petitioner and immediately contacted him which clearly established the nexus. According to learned counsel, the offence involves abuse of high public office and the sanction for prosecution has been granted by the competent authority though the same is yet to be formally placed on record. Moreover, further investigation under Section 193(9) BNSS is continuing and several material witnesses are the subordinate police officials of the petitioner who may be susceptible to influence. Learned counsel has further the plea with regard to lack of jurisdiction holds no merit as the substantial part of the cause of action, including the trap, occurred at Chandigarh and the petitioner has earlier withdrawn the writ petition(s) raising the same issue. Furthermore, the subsequent recovery of the tainted amount coupled with the recorded conversations during the transaction, *prima facie*, establishes demand, acceptance and recovery thereby satisfying the essential ingredients of the offence under Section 7A of the Prevention of Corruption Act. Accordingly, a prayer has been made for the dismissal of the petition in hand.

5. Learned senior counsel appearing for the complainant has contended that the complaint was lodged only after the petitioner has repeatedly demanded illegal gratification and extended threats of coercive police action in case the demand was not fulfilled. According to learned senior counsel, the complainant has no reason to falsely implicate a senior officer of the rank of DIG and has approached the investigating agency as a last resort to protect his business and personal liberty. Learned senior counsel has emphasized that several material witnesses, who are police officials and has been working under the administrative control of the



petitioner, are yet to be examined and, therefore, susceptible to influence. It has been further argued that the enlargement of the petitioner on bail at this stage would seriously prejudice the prosecution case especially when the complainant and the shadow witness have not yet been examined. Learned senior counsel has further contended that the trial is at a crucial stage as charges have not yet been framed. On these grounds, learned senior counsel for the complainant has prayed that the petition in petition for grant of regular bail be dismissed.

6. I have heard learned counsel for the rival parties at length and have carefully perused the record.

7. It would be apposite to refer herein to a judgment passed by this Court titled as ***Jatin Salwan vs. Central Bureau of Investigation*** = **2026 :PHHC:014657**, relevant whereof reads as under:

*“7. The preamble of our Constitution is not a mere decorative preface; it is a solemn covenant. The values of justice, equality and fraternity, enshrined in the preamble, are the pillars of our democratic architecture. Corruption is a corrosive acid that eats away these pillars. Where corruption takes roots, the Rule of Law is replaced by the Rule of Transaction. An age old adage—‘Among a people generally corrupt, liberty cannot last long.’—cautions about the moral decay the menace of corruption presents, it assumes a more harrowing significance when the menace of corruption casts a shadow over the judiciary; an institution whose very lifeblood is the unswerving faith and confidence placed in it by the common populace. Reiterating its earlier view in ***Niranjan Hemchandra Sashittal Vs. The State of Maharashtra; 2013 (4) SCC 642***, the Hon’ble Supreme Court vide its dicta in a Five Judge Bench Judgment in ***Manoj Narula Vs. Union of India; 2014 (9) SCC 1***, observed thus:*

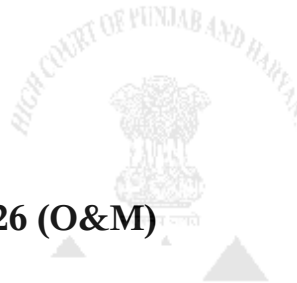
“Criminality and corruption go hand in hand. From the date the Constitution was adopted, i.e., 26th January, 1950, a Red Letter Day in the history of India, the nation stood as a silent witness to corruption at high places. Corruption erodes the fundamental



tenets of the rule of law. In Niranjan Hemchandra Sashittal and another v. State of Maharashtra, 2013(2) RCR (Criminal) 690 : 2013(3) Recent Apex Judgments (R.A.J.) 11 : (2013) 4 SCC 642 the Court has observed :

“It can be stated without any 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. It is worth noting that immoral acquisition of wealth destroys the energy of the people believing in honesty, and history records with agony how they have suffered. The only redeeming fact is that collective sensibility respects such suffering as it is in consonance with the constitutional morality.”

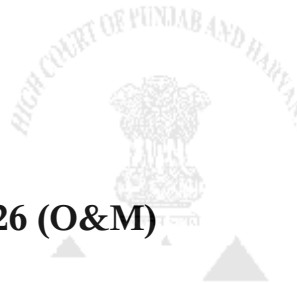
8. The grant of bail falls within the discretionary domain of the Court; however, such discretion must be exercised in a judicious and principled manner, ensuring it aligns with established legal precedents and the interests of justice. While considering a bail application, the Court must evaluate factors such as the existence of *prima facie* evidence implicating the accused, the nature and gravity of the alleged offence and the severity of the likely sentence upon conviction. The Court must also assess the likelihood of the accused absconding or evading the due process of law, the probability of the offence being repeated and any reasonable apprehension of the accused tampering with evidence or influencing witnesses. Additionally, the character, antecedents, financial means, societal standing and overall conduct of the accused play a crucial role. Furthermore, the Court must weigh the potential danger of bail undermining the administration of justice or thwarting its due course. A profitable reference in this regard is made to the judgment passed by the Hon’ble Supreme Court



titled as ***State through C.B.I. vs. Amaramani Tripathi, 2005 AIR Supreme Court 3490***, relevant whereof reads as under:

“14. It is well settled that the matters to be considered in an application for bail are (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; (ii) nature and gravity of the charge; (iii) severity of the punishment in the event of conviction; (iv) danger of accused absconding or fleeing if released on bail; (v) character, behaviour, means, position and standing of the accused; (vi) likelihood of the offence being repeated; (vii) reasonable apprehension of the witnesses being tampered with; and (viii) danger, of course, of justice being thwarted by grant of bail (see *Prahlad Singh Bhati v. NCT, Delhi, 2001(2) RCR (Criminal) 377 (SC) : 2001(4) SCC 280* and *Gurcharan Singh v. State (Delhi Administration), AIR 1978 Supreme Court 179*). While a vague allegation that accused may tamper with the evidence or witnesses may not be a ground to refuse bail, if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. We may also refer to the following principles relating to grant or refusal of bail stated in *Kalyan Chandra Sarkar v. Rajesh Ranjan, 2004(2) RCR (Criminal) 254 (SC) : 2004(7) SCC 528* : “The law in regard to grant or refusal of bail is very well settled. The court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the court granting bail to consider among other circumstances, the following factors also before granting bail; they are:

- a. The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.
- b. Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.
- c. Prima facie satisfaction of the court in support of the charge. (see *Ram Govind Upadhyay v. Sudarshan Singh, 2002(2) RCR (Criminal) 250 (SC) : 2002(3) SCC 598* and *Puran v. Ram Bilas, 2001(2) RCR (Criminal) 801 (SC) : 2001(6) SCC 338*.”



9. Indubitably, the allegations raised in the *FIR in question* are serious in nature. The prosecution case is based on a written complaint dated 11.10.2025 submitted by the complainant - Akash Batta, alleging therein the petitioner, while posted as DIG, Ropar Range, demanded illegal gratification through a private intermediary - Krishanu Sharda for extending official favour in relation to FIR No. 155/2023 registered at Police Station Sirhind as also for ensuring that no coercive action was taken against his business. Pursuant to the complaint, the CBI conducted a verification during which conversation(s) between the complainant and the intermediary were recorded and a controlled call was made. On the basis of the verification report, a trap was laid on 16.10.2025 at Chandigarh, where the co-accused was apprehended while allegedly accepting Rs.5,00,000/- as part of the demanded bribe. The petitioner was arrested on the same day. The offence under Section 7 of the Prevention of Corruption Act, particularly when attributed to an officer of such rank, has serious ramifications for the integrity of the criminal justice system and erodes public confidence in the administration of law. The gravity of the offence and the position held by the petitioner are, therefore, relevant factors while adjudicating the prayer for grant of regular bail. The material which has been placed on record before this Court shows that the complaint was first verified by the CBI before the *FIR in question* was registered. The recorded conversations, the verification report and the trap proceedings *prima facie* indicate a demand for illegal gratification and the collection of part of the bribe amount through a co-accused. At this stage, this material cannot be ignored or brushed aside. The argument that the tainted amount was allegedly recovered from a private individual, who is not a public servant, does not



help the petitioner at this stage as Section 7-A of the Prevention of Corruption Act squarely covers any person who accepts or obtains undue advantage to influence a public servant by corrupt or illegal means. At the stage of consideration of plea for grant of regular bail, this Court is not required to meticulously examine the evidence on record. The material which has been placed on record indicates that the conversations recorded during the verification proceedings, recovery of the tainted money from the co-accused and a controlled call allegedly reflects acknowledgement of receipt of the amount. Furthermore, the digital communication between the petitioner and the intermediary has also been relied upon by the prosecution. In the considered opinion of this Court the veracity of such material shall be ratiocinated upon during the course of trial. At this juncture, it cannot be said that the prosecution case is devoid of *prima facie* substance. The argument that no recovery has been effected from the petitioner does not, by itself, entitle him to bail when the prosecution alleges acceptance through an intermediary.

10. It is borne from the record the investigation *qua* the present FIR has culminated in the filing of the charge-sheet; however, the proceedings are at a nascent stage. Charges have not yet been framed, the complainant and the shadow witness have not been examined and the sanction order, though stated to have been granted, is yet to be formally placed on record. These witnesses constitute the substratum of the prosecution case. The apprehension expressed by the prosecution and the complainant regarding possible influence cannot be brushed aside lightly, particularly in view of the rank held by the petitioner and the fact that some of the witnesses are police personnel and government officials who had



been within his administrative fold. The mere fact that the petitioner stands suspended does not *ipso facto* neutralize the possibility of influencing of the witnesses and tampering with the evidence. At this stage, it cannot be said that there does not exist a reasonable apprehension/concern that his release may affect the course of investigation or trial including the possibility of influencing the witness(s). The rejection of bail by the learned Special Judge, CBI, Chandigarh, after consideration of the material on record, further persuades this Court not to take a contrary view in the absence of any substantial change in circumstances. A person who has held a senior position in the police hierarchy for decades is likely to retain professional relationships and institutional familiarity which may have a bearing on witnesses and the course of investigation. The grant of bail in a separate disproportionate assets case also does not automatically entitle the petitioner to bail in the present case, which must be evaluated independently on its own factual matrix and the material available on record. In corruption cases involving public servants holding high office, the Court is required to exercise caution, particularly when material witnesses are yet to be examined and the possibility of influence is asserted on reasonable and *prima facie* tenable grounds.

11. Having regard to the totality of the circumstances, including the gravity of the allegations, the *prima facie* material collected during verification, trap laid by the police, the role attributed to the petitioner through an intermediary, the stage of the proceedings, the vulnerability of material witnesses, the continuing investigation under Section 193(9) BNSS and the potential influencing of the witnesses owing to the position of the petitioner, this Court is of the considered view that the petitioner does not



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deserve the concession of regular bail in the factual *milieu* of the case in hand.

12. In view of above ratiocination, it is directed as under:

(i) The instant petition, being devoid of merit, is hereby dismissed for the *nonce*. Liberty is reserved in favour of the petitioner to apply for regular bail afresh, in the first instance before the learned Special Court, after the examination of the material witnesses (FIR-complainant and shadow witness).

(ii) Any observations made and/or submissions noted hereinabove shall not have any effect on merits of the case and the investigating agency as also the trial Court shall proceed further, in accordance with law, without being influenced with this order.

(iii) Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

February 16, 2026
Ajay

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