

CRM-M-39741-2023

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

CRM-M-39741-2023  
Reserved on: 12.10.2023  
Pronounced on: 17.10.2023

Mohit Bedi ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Anurag Chopra, Advocate for the petitioner(s).

Mr. Ravinder Singh, AAG, Punjab

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
15	31.05.2023	Vigilance Bureau Range, Amritsar	7, 7A of P.C. Act 1988 as amended by P.C. Amendment Act, 2018

1. The petitioner, who is a constable in Special Task Force of Punjab Police, apprehending arrest in the FIR captioned above, on the allegations of demanding of Rs.10 lacs to fizzle down the investigation in a case involving 280 grams of *heroin* i.e. commercial quantity recovered from one Gopal Singh, had come up before this Court under Section 438 CrPC seeking anticipatory bail.

2. Vide order dated 19.09.2023, the petitioner was granted interim bail by this court, which is continuing till date and had also asked the concerned DySP to file reply.

3. Reply dated 10.10.2023 has been handed over in the Court today and the same is taken on record. The relevant portion of the reply is as under:-

*“ That the brief and the relevant facts of the case are that aforesaid FIR No. 15 dated 31.05.2023 was registered on the basis of the statement of Ms Maryam wife of Gopal Singh resident of village Dhir, Tehsil Batala, District Gurdaspur presently at House No. 32, Royal Palm City Colony, Aliwal Road, Batala, District Gurdaspur, who had alleged that on 29.05.2023, her husband Gopal Singh was taken into custody by the petitioner and other Police employees of S.T.F Batala after conducting a raid at a Gym and took him to the office of S.T.E., Amritsar. She further alleged at about 6:00 PM, the petitioner along with other Police employees came to her ho use in civil clothes and told her about taking of her husband in custody and conducted her house search and taken away 4 wrist watches, DVR, Rs. 24,000/- in cash, Activa Scooter, Key of car and 4 mobile phones. She further alleged that on next day, the petitioner again came*



to her house and asked her to talk to co-accused Aman if she wanted that FIR should not be registered against her husband and also took away Hyundai Creta Car No. PB06-AS-2021 from her house. She also alleged that co-accused Aman was a friend of her husband and doing the business of sale of Gym Supplements and she had talked with Aman on telephone as per asking of the petitioner and also recorded the aforesaid conversation between them, in which Aman told her that she was required to pay Rs. 10,00,000/- to the petitioner to save her husband from the Police case. She further alleged on the same day i.e., on 30.05.2023, the petitioner again came to her house and demanded the money to save her husband from the registration of FIR and she again recorded their aforesaid conversation. She had further alleged that the petitioner was harassing her to extort money from her by demanding bribe by threatening to implicate her innocent husband Gopal Singh in a false case, who was kept in illegal custody without having any recovery of any kind of intoxicants from him. She also alleged that she had made a false promise with the petitioner to pay him Rs. 2,00,000/- as bribe so that he can be apprehended red handed by the Vigilance Department and presented a pendrive containing the audio recordings of conversation between her and co-accused Aman and between her and the petitioner along with Rs. 2,00,000/- in cash for using the same during the trap for the red handed arrest the petitioner, which were taken into Police possession vide presentation memo dated 31.05.2023. The detailed facts mentioned in the aforesaid statement have been reproduced in the true translation of the FIR No. 15 dated 31 05.2023 attached with the petition as Annexure P-1, which may kindly be read as a part of the present paragraph please as same are not repeated for the sake of brevity.

That after the recording of the aforesaid statement of the complainant Maryam, the Inspector Vigilance decided to lay a trap to arrest the petitioner and other co-accused Aman red-handed while accepting the bribe amount from the complainant end joined Sh Pawan Sharma, State Tax Officer and Ms. Parminder Kaur, State Tax Officer as a shadow witnesses in the raiding team to witness the red handed arrest of the accused persons while accepting the bribe amount from the complainant and the recovery of the bribe amount from them during the trap proceedings The amount of Rs. 2,00,000/-, 400 currency notes of Rs 500/- each, presented by the complainant to the investigating officer for the purpose of its use during the trap proceedings, were smeared with phenolphthalein powder and handed over to the complainant to give to the petitioner and co-accused Aman according to their demand Before proceeding to conduct the raid, the investigating officer demonstrated and explained the entire procedural formalities for conducting raid, arrest and recovery of the bribe amount from the accused persons during the trap to the complainant and the aforesaid shadow witnesses. He also prepared the requisite documents and got registered the FIR at the Police station Vigilance Bureau, Amritsar.

5. That thereafter, the investigating officer along with his team of officials, the complainant and aforesaid shadow witnesses proceeded towards the shop i.e., Aman Nutrition Hub of the co-accused Aman situated at Gandhi Chowk, Batala with the complainant. After reaching at the aforesaid shop, the complainant handed over Rs. 2,00,000/- to the co-accused Aman, who kept the same in the drawer of his table after counting the same and thereafter, the shadow witness Sh. Pawan Kumar signaled the raiding party and the investigating officer along with his team went inside the shop of the co-accused Aman and introduced himself to him and asked about his name and address while he was apprehended by the other employee from his wrists. The complainant told the investigating officer that the co-accused Aman had taken Rs 2,00,000/- from her, which were kept by him in the drawer of Lis counter table after counting the same. After that the fingers of both hands of petitioner were got washed in two separate glasses of water mixed with a solution of



sodium carbonate, which turned into light pink on doing so by him. The aforesaid solutions were put into a separate clean bottles and sealed with his seal 1.S' and taken into Police possession as evidence as per the procedure. Thereafter, the bribe money i.e., Rs. 2,0,000/- in the shape of 400 currency notes of Rs. 500/- each, were got recovered by the co-accused Aman from the drawer of his counter table in the presence of the aforesaid shadow witness and the series numbers of recovered currency notes were matched with the list (prepared before conducting the raid in his office by the investigating officer by the official witness Ms. Parminder Kaur, and except few currency notes, all the numbers matched with each other. It was found that the numbers of some currency notes were wrongly written in the presentation memo due to typographical errors The recovered currency notes Le, bribe money, were taken into Police possession vide separate recovery memo by the investigating officer as per the procedure and the co-accused Aman was arrested vide arrest memo dated 31.05.2023.

#### Role of the petitioner

That the petitioner is working as a constable in the Special Task Force of Punjab Police at Balata, who is a by name nominated co- accused in the FIR in question. As per the version of the complainant, her husband Gopal Singh was taken into custody by the petitioner and other Police employees of S.T.F., Batala after conducting a raid at a Gym and they took him to the office of S.T.F., Amritsar on 29.05 2023 and at about 6:00 PM, the petitioner along with other Police employees came to her house in civil clothes and told her about taking of her husband in custody and conducted her house search and taken away 4 wrist watches, DVR, Rs. 24,000/- in cash, Activa Scooter, Key of car and 4 mobile phones She further alleged that on next day, the petitioner again came to her house and asked her to talk to co-accused Aman if she wanted that FIR should not be registered against her husband and also took away Hyundai Creta Car No. FB06-AS-2021 from her house She also alleged that co-accused Aman was a friend of her husband and doing the business of sale of Gym Supplements and she had talked with Aman on telephone as per asking of the petitioner and also recorded the aforesaid conversation between them, in which Aman told her that she was required to pay Rs. 10,00,000/- to the petitioner to save her husband from the Police case She further alleged on the same day i.e., on 30.05.2023, the petitioner again came to her house and demanded the money to save her husband from the registration of FIR and she again recorded their aforesaid conversation. She had further alleged that the petitioner was harassing her to extort money from her by demanding bribe by threatening to implicate her innocent husband Gopal Singh in a false case, who was kept in illegal custody without having any recovery of any land of intoxicants from him. She also alleged that she had made a false promise with the petitioner to pay him Rs. 2,00,000/- as bribe so that he could be apprehended red handed by the Vigilance Department. The petitioner has conspired with co-accused Aman @Aman Shingari to receive the bribe amount from the complainant in lieu of helping her husband for not registration of FIR under NDPS Act against him by the S.T F. Amritsar.

7. That during his custodial interrogation, the co-accused Aman disclosed vide disclosure memo dated 31.05.2023 before the investigating officer that that the complainant Maryam and her husband Gopal Singh were known him and on 29.05.2023, Maryam informed him on telephone that he husband Gopal Singh has been arrested by the S.T.F and severe beaten by them. He further disclosed that Maryam told her that her husband had asked her to contact him (Aman) as Mohit Bedi (petitioner) a member of the STF team, was known to him and used



to visit his shop regularly and requested hum (Aman) to help her to settle the matter with Police regarding arrest of her husband. He further disclosed that on the next day ie, 30.05 2023, the petitioner called him on whatsapp No 97808-05947 and told him that s settlement has been made with the husband of Maryam, who had agreed to pay Rs. 10,00,000/- as bribe for reducing the recovery of consignment of intoxicants and not to attach his Creta car No. PB06 AS-2021, house and expensive watches. He further disclosed that Gopal Singh (husband of Maryam) also talked with him on through the mobile phone of the petitioner on whatsapp and assured him that the first installment of Rs 2,00,000/- out of settled amount of Rs 10,00,000/- will be given by his wife at his shop He further inclosed that thereafter he made many calls to Maryam on her mobile phone in that respect and on 31.05.2023, she told him that Rs 2,00,000/- have been arranged by her and promised to hand over the same at his shop and accordingly, she anded ever Rs. 2,00,000/- to him and he was arrested red handed by the Police while receiving the aforesaid amount from her

8. That true translation of the relevant portion of the transcript of the conversation between the complainant and the petitioner took place on 30.05.2023 is reproduced as under

Maryam:Yes, brother, Hello

Mohit Bedi: Hello

Mohit Bedi : Have you talked with Aman?

Maryam : I have talked with Aman brother and I have told to him that I will arrange the money till tomorrow under all circumstances whatsoever.

Mohit Bedi :I say, not that, give money, not that, have you asked him about the vehicle, not that, give money

Maryam:What do you mean?

Mohit Bedi: Where are you right now?

Maryam:I am at my home."

The true translation of the complete transcript of the conversion between the complainant and co-accused Aman and between the complainant and the petitioner took place on 29.05.2023 and 30.05.2023 are attached herewith for the kind consideration of this Hon'ble Court as Annexure R-1/T.

9 That on 04.07 2023, the statement of the complainant Maryam was recorded by the Chief Judicial Magistrate, Amritsar under section 164 Cr P.C., whereby, she reiterated the same facts as stated by her in her statement 31.05.2023 before the investigating officer relating to the demand of Rs. 10,00,000/- by the petitioner through co-accused Aman and recovery of Rs 2,00,000/- during the trap by the investigating officer from the co-accused Aman. "

4. Based on this, State counsel opposes the extension of interim bail and also seeks dismissal of the main petition as well as specifically submits that they need custodial interrogation of the petitioner not to unearth the involvement of police officials and other persons in this case but also that in how much other cases, petitioner and his accomplices have involved in this kind of tactics.

5. Petitioner's counsel submits that one FIR was also registered on 29.05.2023 as such there was no occasion for the petitioner who was just a constable to get it undone. Further he submits that only peace of conversation which is alleged against the petitioner is that "Have you talked to Aman?"

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6. The complainant whose husband was arrested in NDPS case was being cheated by the petitioner and his accomplices by involving in *thuggee* and they not only took away her immovable property but also want to extract as much money as possible. It is apparent that the petitioner was aware that Gopal Singh had made illegal money by dealing with the drugs and wanted to have a piece of such a big cake. Being the member of the police party, it can be disastrous if such a mole betrays their own team due to which some would be working to curb this menace of drugs. The evidence collected against the petitioner is prime facie sufficient and serious and the impact of the crime on the society as well as on police force is massive.

7. In the entirety of facts and circumstances of the case, the petitioner is not entitled to grant of bail and as such, **the present bail petition is dismissed. Interim orders stand vacated. Bail bonds, if taken by the Investigator are hereby cancelled.** All pending applications, if any, also stand disposed.

(ANOOP CHITKARA)  
JUDGE

17.10.2023  
*sonia arora*

Whether speaking/reasoned: Yes  
Whether reportable: No.