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HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13788/2026
CNR: RJHC011045332026 | URN: CRLMB / 29993U / 2026

Mukesh Kumar Soni S/o Late Shree Jairam Soni, Aged About 35 Years, Resident Of Housing Board, Police Station And District Balotra, Presently Residing At 237, Otc Quarters, Police Station Ambamata, District Udaipur, Presently Posted As Additional Superintendent Of Police, Sog, Udaipur. (Lodged In District Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Yogendra Singh Charan
Mr. Ankur Mathur
Mr. Kartikey Johary
Mr. Jayant Mahecha

For Respondent(s) : Mr. Deepak Choudhary, AAG
Mr. Sameer Pareek, PP
Mr. Aditya Sharma
Mr. Vinod Kumar Sharma
Mr. Dilip Kumar Sharma

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

1. Date of conclusion of arguments : 04.11.2026

2. Date on which order was reserved : 04.11.2026

3. Whether the full order or only the operative part is pronounced : Full Order

4. Date of pronouncement : 06.11.2026

1. The jurisdiction of this Court has been invoked by way of filing application under Section 483 B.N.S.S. at the instance of accused-applicant. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	274/2026
2.	Concerned Police Station	CPS Jaipur
3.	District	ACB District
4.	Offences alleged in the FIR	7 and 7A of the

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		Prevention of Corruption Act, 1988 and Section 61(2) of BNS, 2023
5.	Date of passing of impugned order	05.10.2026

2. At the outset, learned counsel for the applicant submits that the applicant is a decorated police officer and was posted as Deputy Superintendent of Police, Special Operations Group (SOG). It is contended that the applicant was investigating a major scam involving the issuance of forged pattas in respect of valuable parcels of land situated in the city of Udaipur. He submits that the applicant has been falsely implicated in the present case and that the FIR has been lodged out of vengeance.

It is further contended that the proceedings initiated against the applicant for offences punishable under the Prevention of Corruption Act, 1988 ("PC Act") are a deliberate attempt to remove him from the ongoing investigation and thereby prevent him from proceeding with the criminal case registered against the complainant, which was being investigated by the applicant. Learned counsel further submits that there is no material on record, even prima facie, to connect the applicant with the alleged demand for illegal gratification from the complainant.

2.1 Learned counsel for the applicant further submits that a bare perusal of the FIR does not disclose any specific demand for illegal gratification by the applicant. It is contended that even the transcript of the demand verification proceedings does not reflect any such demand by the applicant and merely records a conversation between the complainant and one Sajjan Singh, who is alleged to have acted as the applicant's agent. Learned counsel

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submits that, according to the prosecution, the alleged demand was made when the applicant, the complainant and the said agent were sitting together in a vehicle. However, there is no cogent material to establish the applicant's presence in the said vehicle at the relevant time. His implication is stated to be based primarily on call detail records and tower location data, which, according to learned counsel, are insufficient to establish his involvement in the alleged transaction.

2.2 It is further submitted that neither did the complainant offer or hand over the alleged bribe amount to the applicant nor was the applicant apprehended while accepting any illegal gratification. Even at the time when the alleged amount was delivered to the person stated to be the applicant's agent, the applicant was not present in Udaipur but was at Balotra to perform certain rituals following the demise of his father. Learned counsel contends that the prosecution has failed to establish a connecting chain of circumstances linking the applicant with the alleged demand and acceptance of illegal gratification. It is also pointed out that the call detail records do not disclose any direct telephonic conversation between the applicant and the complainant.

2.3 Learned counsel further submits that following his arrest, the applicant was interrogated for approximately 15 hours and has remained in judicial custody for the last 38 days. Since no further recovery is to be effected from him, his continued incarceration would serve no useful purpose.

2.4 It is also contended that the complainant and his wife had themselves been arrested in connection with an FIR alleging the

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issuance of forged pattas and therefore, the complainant's allegations against the applicant are required to be examined in the backdrop of the animosity arising from the said proceedings. On these grounds, learned counsel prays that the applicant be enlarged on bail.

3. Per contra, learned AAG Deepak Choudhary, assisted by the Investigating Officer, as well as learned counsel for the complainant, have vehemently opposed the bail application.

3.1 Learned AAG submits that the Anti-Corruption Bureau received a complaint alleging that the complainant had earlier been falsely implicated in a case relating to the issuance of forged pattas and was subsequently subjected to harassment through demands for illegal gratification. According to the complaint, the applicant sought money in consideration of extending certain favours, including facilitating the filing of a charge-sheet in a manner favourable to the complainant, refraining from implicating him in other offences and returning certain documents seized during the investigation but not reflected in the record.

3.2 It is further submitted that, pursuant to the complaint, demand verification proceedings were undertaken. During the said proceedings, Sajjan Singh, who is alleged to be acting as the applicant's agent, called the complainant to Rani Bazar and took him to a vehicle in which the applicant was already seated. Learned AAG submits that the movement of the applicant from his residence to Rani Bazar was tracked through call detail records and tower location data, which indicate the presence of all three persons at the relevant place. The complainant has specifically

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alleged that during the interaction, the applicant deliberately avoided making an oral demand and instead conveyed the same by displaying a message on his mobile phone.

3.3 Learned AAG further submits that an amount of ₹2 crore was demanded for extending the aforesaid favours in relation to the filing of the charge-sheet against the complainant. The said amount was subsequently received by Sajjan Singh, who was apprehended red-handed by the ACB officials. It is contended that sufficient material has been collected during the investigation to establish the applicant's presence at the place where the demand was allegedly made and to connect him with the offences in question.

3.4 Opposing the application further, learned AAG submits that the applicant is a senior police officer and the investigation is still underway, with the charge-sheet yet to be filed. Several witnesses are yet to be examined by the Investigating Agency. In view of the position held by the applicant, there is a reasonable apprehension that, if enlarged on bail, he may influence witnesses or tamper with the evidence. It is therefore contended that, having regard to the nature and sensitivity of the allegations and the applicant's official position, he does not deserve the benefit of bail at this stage. Learned AAG also submits that the applicant has not cooperated with the investigation, and his conduct throughout the proceedings has not been bona fide.

3.5 Learned counsel for the complainant, Mr. Vinod Sharma, has also vehemently opposed the bail application and drawn the attention of this Court to an earlier order passed by a Coordinate

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Bench of this Court, Bench at Jaipur, in ***Kalu Ram v. State of Rajasthan, S.B. Criminal Misc. Bail Application No. 20010/2021***, dated 23.03.2022. It is submitted that, in the said order, the Coordinate Bench had made observations concerning alleged lapses in an investigation under the NDPS Act conducted by the present applicant, which purportedly resulted in extending an undue benefit to the principal accused. Learned counsel contends that the said background lends credence to the apprehension expressed by the prosecution that the applicant, if released on bail, may interfere with the ongoing investigation, influence witnesses or tamper with the evidence. On these grounds, dismissal of the bail application is sought.

4. Heard learned counsel for the parties and perused the material available on record.

5. Upon consideration of rival submissions and material on record, it emerges that, pursuant to the complaint received by the Anti-Corruption Bureau, demand verification proceedings were undertaken. The material collected during the investigation includes the alleged conversation concerning the demand for illegal gratification during the meeting at Rani Bazar, where the applicant was allegedly sitting in a vehicle with the complainant and Sajjan Singh, as well as a recording of a WhatsApp call involving all three persons. Thus, prima facie, the investigation agency appears to have collected material beyond the mere allegations levelled by the complainant.

Although learned counsel for the applicant has questioned the sufficiency of the material connecting him with the alleged

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demand, this Court refrains from undertaking a detailed examination of its evidentiary worth at this stage particularly when the investigation is still in progress and the charge-sheet is yet to be filed.

5.1 This Court prima facie finds that the allegations in the present case warrant due consideration, having regard to the nature of the accusations and the position held by the applicant, who is posted as Deputy Superintendent of Police in the Special Operations Group (SOG). A police officer entrusted with the responsibility of investigating offences is expected to discharge his duties with fairness, integrity and impartiality. The allegation that the applicant misused his investigative authority to secure unlawful pecuniary benefits raises serious concerns, particularly in view of the alleged demand of ₹2 crore. Corruption by public servants has wider implications for public confidence in governmental institutions and the credibility of the law enforcement machinery. While the gravity of the allegations, by itself, cannot be the sole ground for declining bail, it remains a relevant consideration when assessed alongside the material collected during investigation, the official position held by the applicant and the other circumstances of the case.

5.2 Learned counsel for the applicant has emphasised that the transcript does not disclose any specific demand for illegal gratification being made directly by the applicant. In response, the prosecution has alleged that the applicant deliberately avoided making an oral demand and instead conveyed the same by writing it on his mobile phone and displaying the screen to the

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complainant. It is further the prosecution's case that the conversation between the complainant and Sajjan Singh, wherein the latter allegedly made a specific demand, pertained to the criminal case registered against the complainant, which was being investigated by the applicant himself. At this stage, the alleged role of Sajjan Singh as an intermediary, considered alongside the applicant's presence at the alleged meeting and his position as the investigating officer in the underlying case, constitutes a circumstance requiring consideration. Whether these circumstances establish the applicant's complicity is a matter to be determined during trial.

5.3 In ***Y.S. Jagan Mohan Reddy v. CBI, (2013) 7 SCC 439***, the Hon'ble Supreme Court, while declining bail to the appellant in a case arising under the Prevention of Corruption Act, emphasised that cases involving allegations of corruption warrant careful consideration at the stage of bail, particularly where the allegations involve substantial amount of money. Relevant paragraphs are reproduced herein below:

> *"34.* ***Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country****.*
>
> *35. While granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the*

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presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations."

(emphasis supplied)

5.4 This Court also finds substance in the apprehension expressed by learned AAG regarding the possibility of the applicant influencing witnesses or interfering with the ongoing investigation. The applicant is a senior police officer and, having regard to his official position and the nature of the allegations, the apprehension expressed by the prosecution cannot be brushed aside as entirely unfounded or merely speculative. The investigation is still underway, the charge-sheet has not yet been filed and certain witnesses are yet to be examined. In these circumstances, the possibility of interference with the investigation or influencing persons connected with the case requires due consideration.

5.5 Pertinently, in ***Rajesh Kumar v. CBI, Bail Application No. 2537 of 2024, decided on 09.04.2025***, the Hon'ble Uttarakhand High Court considered the accused's official position and the possibility of his influencing witnesses. The relevant observations are reproduced herein below:

"43. A further consideration which weighs against the grant of bail is the position held by the accused at the relevant time. As Principal of a Kendriya Vidyalaya, the applicant exercised considerable administrative authority over the very witnesses whose testimony would be central to the trial.

44. ***The apprehension expressed by the prosecution that the applicant may influence or intimidate such witnesses is not speculative. It is grounded in the practical realities of hierarchical institutional structures, where implicit deference and hierarchical dependency are often at play. The possibility of***

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interference with the trial process, at the stage of pre-charge evidence, cannot be lightly disregarded*.*

45. This Court does not lose sight of the constitutional primacy accorded to personal liberty under Article 21 of the Constitution. However, personal liberty, though fundamental, is not absolute. Where credible material discloses a pattern of systemic abuse of official position to extract unlawful benefit, such liberty must yield to the broader imperative of justice and institutional accountability.

46. ***Corruption by a public servant is not merely a private wrong; it corrodes public trust, undermines institutional integrity, and has a cascading effect on governance and service delivery. The offence alleged is therefore one of serious public concern and calls for a cautious and calibrated judicial approach.****"*

(emphasis supplied)

6. Having considered the rival submissions and the material available on record, this Court finds that the allegations concern an alleged demand of ₹2 crore in connection with the exercise of the applicant's official powers as the investigating officer. The material collected during the investigation, the alleged use of an intermediary, the applicant's position and the stage of the investigation, coupled with the apprehension of interference with the investigation, weigh against the grant of bail. The grounds urged on behalf of the applicant, including his period of custody and the contention that no further recovery is required, do not, when considered alongside above mentioned circumstances, persuade this Court to enlarge him on bail at this stage. Accordingly, the present bail application is hereby, **dismissed**.

7. Needless to mention that the aforesaid observations have been made solely for the purpose of adjudicating the present bail application, on the basis of the material presently available on

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record, and are prima facie in nature. They shall neither preclude the applicant from seeking bail afresh upon completion of the investigation and filing of the charge-sheet, which shall be considered on its own merits, nor influence the learned trial Court while considering/adjudicating the case of the applicant.

(SANJEET PUROHIT),J

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