

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17763-2025
Reserved on: 07.04.2025
Pronounced on: 22.04.2025

Harinder Singh @ Babbu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Nandan Jindal, Advocate,
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
232	24.09.2021	Sadar Patiala, Distt. Patiala	420, 467, 468, 471, 120-B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. In paragraph 17 of the bail petition, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Dated	Offenses	Police Station
1.	242	24.12.2019	420, 34 IPC	Sadar Sangrur
2.	157	20.12.2019	419, 420, 467, 468, 471, 120-B IPC	Tapa Mandi, Distt. Barnala
3.	327	24.12.2019	420, 467, 468, 471 IPC	Lehra, Distt. Sangrur
4.	246	29.12.2019	420, 467, 468, 471, 120-B IPC	Sadar Patiala
5.	150	26.12.2019	420, 467, 468, 471 IPC	Mehta, Amritsar

3. The facts and allegations are being taken from the translated copy of FIR annexed with the bail petition as Annexure P-1, which reads as follows:

"At the time it recorded that application number 8223/Peshi date 23.09.2021, UID no.2147871 from Jaskaran Singh Kahlon son of S.Kewal Singh resident of Quarter No.155-156 JJEB Nangal Town Ship Police Station Nangal District Ropar Mobile No.73074-xxxxx, after Action Police ASI Sukhdev Singh 3102 Police Post Bahadurgarh Police Station Sadar Patiala for registration of FIR against Harinder Singh alias Babbu Baran

Bor son of Mahal Singh resident of village Samaspur Police Station Sadar Patiala District Patiala through PHG Sohan Lal 30752 received in the Police Station for registration of FIR under section 420, 467, 468, 471 of IPC. The contents of which are as under:- To the Hon'ble SSP Sahib, Patiala. Subject, to file a case against Harinder Singh @ Babbu Bara Bor son of Mahal Singh resident of village Samaspur Police Station Sadar Patiala for cheating and forgery regarding providing job in Punjab Police by forging documents. Sir, It is requested that Jaskaran Singh son of Kewal Singh, is the resident of Quarter No.155-156 JJEB Nangal Township Police Station Nangal District Ropar Punjab and my father S.Kewal Singh son of Pritam Singh works in BBMB as line man at Nangal. My elder brother Jagjot Singh Kahlon is in to Australia from the last five years. I am 21 years old and I was completed 10+2 in 2017. Since then I have been looking for a job as well as studying B.Tech IT from CGC Landran and my degree is completed in August 2021. During my studies, I used to talk to Parminder Singh Pindri, a resident of Daha Police Station, Nurpur Bedi, District Ropar, who seemed to be my uncle. Before that I got acquainted with his friend Haridar Singh alias Babbu Bara Bor son of Mahal Singh resident of village Samaspur Police Station Sadar Patiala and we started talking on the phone. Whoever asked me in conversation what you want to do, I told him that I have completed degree. I have been looking for a my job since I was studying. I will get a small job, I will do it. Harinder Singh in talks took me into confidence and I was taking all his talks to be true and correct. Harinder Singh @ Babbu disclosed me that I am Sub-Inspector in Police and now I have to go directly to Inspector and then to DSP. I am the one who has carried out operations against gangsters in Punjab. I am under-cover and directly entered their cadre and then informed senior the police officers. No operation of Punjab Police has been completed without me. On being succeeded in the operations against gangsters I was directly appointed as sub-inspector. Recently also, I have succeeded in two more operations and renowned gangsters of Punjab have been apprehended in the operations. Therefore, I also have the power to recruit new boys. On my recommendation, senior police officers can recruit any educated youth directly. Now our group needs further Science educated staff who have to recruit soldiers as ASI as well as Sepoy as per their qualifications. If it is to be placed on my recommendation which is of interest to you then I can get you recruited. A minimum of Rs.10 lakh for a soldier's job and Rs.20 lakh for an ASI would have to be paid in advance. The same amount will have to be paid on recruitment. On which I said that we can't pay much, just recruit me as a

soldier. Coming to Harinder Singh's words, I told the whole thing to my father. Then Harinder Singh's phone rang and I talked to my father. In words he took us in full faith. In this way Harinder Singh Babbu took us to his home village Samaspur and allured me in many words. By May 2021, we had full confidence in him, so he invited us to his house and kept in our house many fake documents with photos and photographs of senior officers and presented them to us in real time and assured that Punjab Police is required to recruit directly for the operation in Punjab, on which he prepared us to pay half the money. We both father and son agreed. Then on 11.05.2021 he called us at his house and got Rs. Three lacs in cash from us in the name of providing job of sepoy/soldier in Punjab Police. Then on 12.05 2021 he got another Rs.1 lakh. But he asked to deposit the amount of Rs.2 lakh in the name of Vipin Kumar in State Bank of Patiala account number 650012xxxx Branch High Court Chandigarh. I had deposited the amount in the account through my son Jagjit Singh Kahlon. On dated 01.06.2021, he provided me a joining letter to join in Intelligence Department Sector 77 Mohali. Then he in the name of remaining amount and the amount for dresses got Rs.4 lakh 92 thousand more from me, out of which Rs.80000/- was being deposited in the account of Ranjit Singh son of Rajan Singh resident of Aman Nagar, Karhali, in his account No.22144xxxx Branch Balbehra. Now he started making different excuses and giving different dates from which both father and son investigated and we came to know that he has already been charged with extorting huge amount of money through fraud. He is addicted to such notes and has been lodged in jail till a few months ago. In this way, he has defrauded me of Rs.10 lakh 92 thousand by presenting us as fake documents and giving fake joining letter as genuine. Kindly register FIR under the provisions of cheating, defrauding and preparing forged documents and my money be got returned and he should be punished for it. I would be grateful to you.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family. Counsel for the petitioner submits that due to non-appearance, bail of the petitioner was cancelled.

5. The State's counsel opposes bail.

REASONING:

6. The petitioner was earlier on bail; however, he failed to appear, which led to the cancellation of the bail vide order dated 14.09.2022, passed by the ACJM, Patiala and

thereafter, he was declared proclaimed offender

7. The petitioner was earlier granted bail, and he is in custody since 02.09.2024, as such, this court is inclined to grant bail subject to the strict condition that the petitioner shall not remain absent from the trial even on a single day and subject to compliance with the following conditions.

8. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

CONDITIONS:

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. This order is subject to the petitioner's complying with the following terms.

13. The petitioner shall attend the Trial on every date and shall not seek any adjournment.

14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.04.2025
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.