

CRM-M-33702-2016

Date of Decision : 15.11.2016

Khushi Ram

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Liaqat Ali, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

One Jagdish Kumar had furnished surety bonds on 27.07.2011 on behalf of accused Sarabjit Singh in FIR No. 56 dated 09.06.2016 under Section 21 of the NDPS Act. But the surety bonds furnished by the petitioner was accompanied by fake revenue record. Petitioner identified Jagdish Kumar.

Learned counsel for the petitioner submits that the petitioner was attesting witness only to identify Jagdish Kumar who had stood surety for Sarabjit Singh and that Sarabjit Singh main accused has been acquitted on merits in the NDPS case.

The learned State counsel informs that Jagdish Kumar is not traceable and the property documents of Jagdish Kumar have been found to be fake.

I have heard learned counsel for the petitioner, learned State counsel and gone through the record. The act of playing fraud with the Court is a serious offence. The acquittal of Sarabjit Singh is absolutely of no relevance for adjudication of the conduct of the petitioner for the

purpose of bail.

Taking into consideration the seriousness of the offence, no ground is made out to grant the concession of pre-arrest bail to the petitioner, especially, when Jagdish Kumar whom he identified, is not traceable.

The petition is dismissed. It will be open to the petitioner to approach the Illaqa Magistrate showing his *bona fide* and in case, the petitioner surrenders before the Illaqa Magistrate within the period of one month, his application for regular bail will be decided expeditiously, preferably within a period of two days.

(M.M.S. BEDI)
JUDGE

15.11.2016
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No