

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

**CRM-M-24972-2017  
Date of decision :05.09.2017**

Sukhpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR.JUSTICE H.S. MADAAN**

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Present : Mr. Digvijay Nagpal, Advocate  
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

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**H.S. MADAAN, J.**

This petition for regular bail has been filed by petitioner-Sukhpal Singh an accused in FIR No.55 dated 02.05.2017 for offences under Section 406 IPC and Sections 201, 120-B IPC added later on registered with Police Station Sri Muktsar Sahib.

Briefly stated the facts of the case as per prosecution version are that Chief Judicial Magistrate, Sri Muktsar Sahib had addressed a letter dated 02.05.2017 to the Station House Officer, Police Station Sadar, Sri Muktsar Sahib for the purpose of initiating legal proceedings against Sukhpal Singh and Anokh Singh Sapurdar to whom car bearing No.PB-04-

L-5474 had been given on Supardari in case bearing FIR No.08 dated 12.01.2010 under Section 209/120-B IPC. Since they had not produced the said vehicle in the Court as and when the same was required to be so done and had disposed it of in connivance with each other. After registration of the FIR accused was arrested in this case on 02.05.2017. The petitioner had moved an application for grant of regular bail but same was dismissed by learned Sessions Judge, Sri Muktsar Sahib vide order dated 30.05.2017, as such, he had approached this Court seeking that very concession, notice of the petition was given to the State.

I have heard learned counsel for the petitioner-accused, learned State counsel, besides, going through the record and I find that no ground is made out for grant of regular bail to the petitioner. As it transpires from file, a Maruti car bearing registration No.PB-04L-5474 was got released on Superdari by Anokh Singh son of Baltej Singh resident of Patti Sadeeq Tehsil Abohar from the Court of Chief Judicial Magistrate Sri Muktsar Sahib in case FIR No.8 dated 12.01.2010 for offences under Sections 409/120-B IPC. However, despite giving an undertaking this car was not produced in the Court during trial with the result the trial got being adjourned unnecessarily. Anokh Singh had informed that accused Sukhpal Singh had taken vehicle in question from him after the same was released on Superdari. The car was neither produced in the Court nor its whereabouts explained, therefore, formal FIR was registered. Anokh Singh having got the car in question released on Superdari was in its possession behalf of the Court in other words he was entrusted with the custody of the car, he was bound to restore the custody to the Court or any other person to whom the Court directed but he shown to have committed criminal breach of trust with

respect to that car by not producing it in the Court as and when directed though so undertaken while getting the car released on Superdari and later it comes out that Sukhpal Singh in connivance with accused Anokh Singh has disposed of the car which is very serious matter. He has tried to play fraud with the Court, such type of persons do not deserve any leniency rather there is reasonable apprehension of his tampering with prosecution evidence and absconding if granted bail, therefore, I do not find any merit in the petition, the same stands dismissed accordingly.

**05.09.2017**

*Gaurav Sorot*

**( H.S. MADAAN )  
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**