

**Sr. No.206  
IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**CRM No. M-31729 of 2016 (O&M)**

**Date of Decision:24.01.2017**

Amandeep Kumar @ Aman Kamboj

... Petitioner

Versus

State of Punjab

... Respondent

**CRM No. M-43257 of 2016 (O&M)**

Mohinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present:- Mr. Deepinder Brar, Advocate,  
for the petitioner in CRM No.M-31729 of 2016.

Mr. N.S.Sodhi, Advocate,  
for the petitioner in CRM No.M-43257 of 2016.

Mr. Abhishek Chautala, AAG, Punjab.

Mr. Uday Chauhan, Advocate,  
for the complainant.

**TEJINDER SINGH DHINDSA, J.(ORAL)**

This order shall dispose of the CRM No.M-31729 of 2016 (Amandeep Kumar @ Aman Kamboj Vs. State of Punjab) and CRM No.M-43257 of 2016 (Mohinder Singh Vs. State of Punjab) as both these petitions have been filed under Section 439 Cr.P.C. seeking benefit of bail to the petitioner(s) pending trial in case FIR No.08 dated 29.01.2016, under Sections 420/467/468/471/120-B of Indian Penal Code, registered at Police Station Ghall Khurd District Ferozepur.

Counsel for the parties have been heard.

Pleadings on record would indicate that the FIR in question has

been registered at the instance of one Baldev Singh. Allegations are that the complainant had a previous association with a police official i.e. Mohinder Singh Sub Inspector (co-accused i.e. petitioner in CRM No. M-43257 of 2016) and who in turn had introduced the complainant to the petitioner i.e. Amandeep Kumar @ Aman Kamboj as also other co-accused, namely, Baba Surinder Pal Singh Grewal and his wife Kamaljeet Kaur as also Bhagwan Dass.

It has been asserted that co-accused had represented to the complainant that they can facilitate the recruitment of persons to Punjab Police under the DGP quota against a consideration amount of 15 lacs each. In the FIR, the names of 11 prospective candidates seeking employment have been mentioned and there are assertions that a deal had been settled to recruit them on payment of Rs.13 lacs each. Accusation in a nutshell is that a sum of Rs.1 crore 20 lacs has been paid on the inducement and promise of recruitment having been made and such heavy amount has been embezzled and misappropriated.

Counsel for the petitioner in CRM No.M-43257 of 2016 states that the entrustment of money is to Surinder Pal Singh and Amandeep Kumar @ Aman Kamboj only.

Amandeep Kumar @ Aman Kamboj (petitioner in CRM No.M-31729 of 2016) was arrested on 23.03.2016 while Mohinder Singh (petitioner in CRM No.M-43257 of 2016) was arrested on 18.02.2016.

Investigation in the cases is complete and the challan has been presented on 19.05.2016. State counsel would apprise the Court that the matter is fixed before the trial Court at the stage of framing of charges.

The present petitions and prayer made therein are vehemently

opposed by counsel appearing for the complainant as also State counsel by stating that the petitioner Amandeep Kumar @ Aman Kamboj had even issued a cheque for Rs.60 lacs towards return of amount and which upon presentation was not honoured. It is further contended that even a compromise is sought to be thrashed out and in terms of which agreement to sell has been entered into as regards certain immovable properties belonging to the petitioner (Amandeep Kumar @ Aman Kamboj) so as to compensate the boys who had sought recruitment and had paid the money.

To meet such contention, counsel appearing for the petitioner(s) has submitted that it is during the process of investigation and while the petitioner Amandeep Kumar @ Aman Kamboj was in custody that many blank documents have been got signed including certain cheques. It is contended that it is a case of false implication. To substantiate such assertion counsel has even adverted to an order passed by the coordinate Bench of this Court on 17.10.2014 in CRM No. M-35768 of 2014 and which reads in the following terms:-

*“It is claimed that petitioner has been involved in 11 cases. Petitioner has been involved in 8 cases after March 10, 2014.*

*Through instant petition, he seeks protection of life and liberty.*

*Notice of motion to respondents No.1 and 2 for December 22, 2014.*

*Meanwhile, an interim direction is issued that in case petitioner is required to be arrested in any case registered after October 17, 2014, the matter will be inquired into and investigated by Special Investigation Team constituted by respondent No.2. In case, petitioner is required to be arrested in any criminal case prior to October 17, 2014, besides the 11 FIRs against the petitioner, he would be given a seven days*

*notice before his arrest to enable him to avail the legal remedy available to him.*

*The report regarding requirement of the petitioner as an accused in any case registered before or after October 17, 2014 be submitted by next date of hearing.”*

*October 17, 2014*

*(M.M.S. BEDI)  
JUDGE*

Perusal of such order would in itself reveal that the petitioner Amandeep Kumar @ Aman Kamboj has been involved in 11 cases and 8 FIRs have been registered after 10.03.2014. In all these FIRs the allegations against the petitioner Amandeep Kumar @ Aman Kamboj are of a similar nature. Amandeep Kumar @ Aman Kamboj is stated to be on bail in all the other cases.

The contention of the counsel as regards false implication as such cannot be discounted.

The offences cited against the petitioner(s) are triable by the Court of Magistrate.

It is not the case made out on behalf of the State that in case the petitioner(s) are granted benefit of bail they would be in a position to hamper the course of a free and fair trial.

Without making any observations on merits, the prayer made in the present petitions is accepted. Petitions are allowed. Petitioners be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Ferozepur.

Petitions disposed of.

**24.01.2017**

vandana

**(TEJINDER SINGH DHINDSA)  
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No