

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 26.07.2018

1. CRM-M-19350-2018

Sukhdev Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

2. CRM-M-21081-2018

Gurinder Pal Singh @ Gora

.. Petitioner

Vs.

State of Punjab

..Respondent

AND

3. CRM-M-23235-2018 (O&M)

Tejinder Singh @ Bhola

.. Petitioner

Vs.

State of Punjab

...Respondent.

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.P.S. Duggal, Advocate for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. R.S. Sekhon, Advocate for the complainant.

...

Inderjit Singh, J.

This order shall dispose of 3 connected cases i.e CRM-M-19350-2018, filed by petitioner-Sukhdev Singh, CRM-M-21081-2018, filed by petitioner-Gurinder Pal Singh @ Gora and CRM-M-23235-2018 filed by Tejinder Singh @ Bhola, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.357 dated 17.12.2017, registered at Police Station Sadar Ferozepur, District Ferozepur under Sections 420 and 120-B of Indian Penal Code.

Notice of motion was issued in all the petitions.

Learned State counsel as well as learned counsel for the complainant have appeared and contested these petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

CRM-M-19350-2018 and
CRM-M-21081-2018

From the record I find that the FIR has been registered on the application of complainant Piara Soni. As per the allegation in the FIR, the main accused is Tejinder Singh @ Bhola, who had taken Rs.4,00,000/-from the complainant on the ground to provide a government job to the complainant, who is a handicapped person. The allegation against the other family members are that they have also accompanied from time to time when the talk was going on. Petitioners-Sukhdev Singh and Gurinder Pal Singh @ Gora are not the main accused nor they have taken the money.

In pursuance of the interim orders dated 10.05.2018 and 17.05.2018 passed in CRM-M-19350-2018 and CRM-M-21081-2018 respectively by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing has been recovered from them. No useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in both these petitions and the same are allowed. The orders dated 10.05.2018 and 17.05.2018 granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called

CRM-23218-2018 in
CRM-M-23235-2018

No ground for extension of time for paying the amount of ₹1 lakh as per order of this Court dated 01.06.2018 to the complainant is made out.

Dismissed.

CRM-M-23235-2018

As regarding Tejinder Singh @ Bhola, he is a main accused, who had received the money and cheated the complainant.

Keeping in view the nature and gravity of the offence and in view of the fact that the petitioner is required for custodial interrogation, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

26.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No