

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

**CRM-M No. 20730 of 2019
Date of Decision:-10.05.2019**

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Deepak Kumar has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.004 dated 08.01.2019, under Sections 419, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Civil Lines, Amritsar. Petitioner is in custody since the day of arrest on 08.01.2019.

As per contents of the FIR, on 08.1.2019, ASI Hira Singh alongwith ASI Nirmal Singh and other police officials was going from Hartej Hospital Chowk towards Kichlu Chowk in connection with patrolling and search of bad elements. Then a secret information was received that Gurpreet Singh (petitioner), Deepak Kumar and Daljit alongwith 5-6 persons had formed a gang and they used to forge revenue record, fake cards of Numberdari, Aadhar Card and fake identity cards and used the

same as genuine for getting the handsome amount from the relatives of the jail inmates on the pretext of getting them released on bail from the Courts and they are present in the Court complex to seek release of Davinder Singh and Suraj on bail in case FIR No.6 dated 04.1.2019, under Sections 188, 336 and 420 IPC. Deepak Kumar (petitioner) impersonating as Sohan Singh Namberdar son of Bhagwan Singh resident of Village Manawala, Gurpreet Singh impersonating as Hardeep Singh s/o Chanan Singh of village Manawala for the bail of Davinder Singh and Daljit impersonating as Sarabjit Singh s/o Chanan Singh resident of Village Manawala for the bail of Suraj for identifying them and if checking/raid is conducted, they could be apprehended alongwith forged documents. It is further alleged that during the course of checking, on seeing the police party, one person managed to escape and the persons who were apprehended at the spot, disclosed their names to be Deepak Kumar (petitioner) and Gurpreet Singh and the person, who fled away from the spot stated to be Daljit. Thereafter, recovery of forged documents in the name of different persons was made from them. They disclosed that the said forged documents were given to them by Daljit by getting it prepared for the purpose of furnishing the bail bonds. In this background the FIR was registered against the accused persons.

Learned counsel for the petitioner contends that no such document was allegedly used by the petitioner anywhere. According to him, the FIR has been registered only on the basis of presumption. According to him, further custody of the petitioner is not required as the investigation is complete. The challan in the case stands filed and the offences are triable by Magistrate. He submits that the trial is yet to start

and it will take sufficient time to conclude. He prays that the petitioner be released on regular bail pending trial. It is also pointed that the petitioner is not involved in any other case.

Learned State counsel, who is assisted by ASI Hira Singh opposed the prayer for grant of regular bail to the petitioner on the ground that the offence is serious in nature. However, it is not disputed that the investigation of the case is complete and the challan stands filed and witnesses are yet to be examined.

Considering the custody period of the petitioner and the fact that the offences are triable by Magistrate as well as the fact that the trial is yet to commence, which is likely to consume some time, further detention of the petitioner may not be justified, therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

May 10, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No