

CRM-M-46044-2018

Date of Decision:07.02.2019

AMARJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

HARINDER SINGH SIDHU, J. (ORAL)

By filing this petition under Section 438 Cr.P.C., the petitioner has sought anticipatory bail in case FIR No.90 dated 31.05.2014 under Sections 420, 465, 468, 471 and 120-B of Indian Penal Code registered at Police Station Ferozepur Cantt., District Ferozepur.

The FIR was registered at the instance of Colonel Director Recruiting, Army Recruiting Office, Ferozepur Cantt. with the allegations that 31 candidates, who had appeared in the recruitment rallies, submitted their certificates with forged date of birth. During the investigation it came out that there were 11 persons (including the petitioner), who acted as agents and collected money from candidates assuring them a job in the Army. Sohan Singh son of Bhanga Singh filed an affidavit that Shamsheer Singh had obtained ₹20,000/- from the father of candidate Gurmail Singh. Kaur Singh son of Ajmer Singh filed an affidavit as per which the petitioner had obtained an

amount of ₹50,000/- from candidate Amandeep Singh.

Learned counsel states that this affidavit implicating the petitioner, is false. The petitioner has annexed an affidavit dated 1.10.2018 of Kaur Singh son of Ajmer Singh (Annexure P-5) wherein it is stated that an amount of ₹70,000/- was taken from him by one Shiv Kumar. It is further stated that Shiv Kumar had taken him to the Court at Mansa and had got affixed his father's thumb impression. Later he came to know that the thumb impressions were misused to furnish an affidavit against the petitioner, whereas it was Shiv Kumar who had cheated them. It was stated that they neither knew Amarjit Singh (petitioner) nor had any financial dealing with him.

Therefore, learned counsel for the petitioner states that the petitioner is falsely implicated in the present case and has no concern of the said recruitment.

Learned State counsel states that pursuant to the order dated 17.10.2018, the petitioner has joined the investigation.

In view of above, the petition is allowed. The order dated 17.10.2018 granting interim anticipatory bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(HARINDER SINGH SIDHU)

February 07, 2019

JUDGE

Jyoti-1 Whether speaking/reasoned Yes/No Whether Reportable Yes/No