

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26725-2019 (O&M)
Date of Decision:- 5.7.2019

Bakhshish Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Suresh Kumar Arya Advocate, for the petitioner.

Ms. Amarjit Kaur Khurana, Sr. DAG, Punjab,
assisted by ASI Baljit Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.5, dated 14.8.2018, Police Station N.R.I., Amritsar City, District Amritsar, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC.
2. The FIR in the present case was lodged at the instance of Sandeep Singh Aulakh, wherein it has been alleged that he is a citizen of USA and that he owns 123 kanals of land in Village Modey, District Amritsar, which he had given on lease to one Sukhchain Singh. It is alleged that during one of his visits to India, he came to know that

one person who is a resident of H.No.621, Tehsil Ajnala, District Amritsar had prepared a forged Aadhaar Card, Voter Card and Income Tax I.D. and attempted to raise a loan from ICICI Bank, Fatehgarh Churian against the land belonging to the petitioner on the basis of the aforesaid forged documents but somehow the bank officials got suspicious and did not sanction the loan.

3. Pursuant to receipt of the aforesaid information the matter was investigated by the police and it was found that one Sukhvinder Singh had prepared forged Aadhaar Card, Voter Card and Income Tax I.D. card and raised a loan of Rs.20 lacs from Punjab and Sind Bank, Ghanupur Kale, Amritsar, by mortgaging land of the complainant in connivance with Nambardar-Iqbal Singh.
4. During the course of investigation, the police collected evidence to the effect that the petitioner by impersonating as Jwala Singh and by producing forged identification documents in the shape of Aadhaar Card, Voter Card and PAN card opened bank accounts in the name of Jwala Singh and appeared as a guarantor when the loan was raised in favour of Sukhvinder Singh who had impersonated as Sandeep Singh from Punjab and Sind Bank, Ghanupur Kale, Amritsar.
5. Learned counsel for the petitioner has submitted that the case is mainly based on documentary evidence, which is already in possession of the police. It has further been submitted that since co-accused Harjinder Singh and Iqbal Singh have already been granted bail, the petitioner also deserves the concession of bail on the ground of parity.

6. Opposing the petition, learned State counsel has submitted that since the evidence collected by the police *prima facie* suggests that the petitioner had played an active role and had impersonated as Jwala Singh and had stood as a guarantor in favour of Sukhvinder Singh who himself impersonated as Sandeep Singh complainant, at the time of raising of the loan on the basis of forged documents, no case for grant of bail is made out.
7. Having considered rival submission addressed before this Court and while noticing that the case is mainly based on documentary evidence and that the petitioner has been behind bars since the last about 2 1/2 months, in my opinion, further detention of the petitioner would not serve any useful purpose. The petition, as such, is accepted and petitioner-Bakhshish Singh is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
8. The present petition stands accepted accordingly.

July 5, 2019
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No