

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

CRM-M-46238-2019 (O&M)

Date of decision: 06.12.2019

Maninder Singh @ Santy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amjad Khan, Advocate &
Mr. A. S. Sidhu, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-33348-2019

Allowed as prayed for.

CRM-M-46238-2019

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 71 dated 31.07.2019, registered under Sections 384, 452, 120-B of the IPC and Sections 7 and 13 of the Prevention of Corruption Act, 1988 (*for short 'PC Act'*) at Police Station Special Task Force, District STF Wing, Mohali, S.A.S. Nagar, however, Section 452 IPC stands deleted and Sections 454, 380, 342 of the IPC; Section 8 of the PC Act and Sections 25 and 59 of the NDPS Act have been added later on.

Learned counsel for the petitioner submits that the FIR was initially registered under Sections 384, 452, 120-B of the IPC and Sections

7 and 13 of the PC Act and later on, Section 452 IPC has been deleted and Sections 454, 380, 342 of the IPC; Section 8 of the PC Act and Sections 25 and 59 of the NDPS Act have been added.

Learned counsel for the petitioner further submits that the FIR was registered on the basis of a secret information, wherein it is stated that one Kuldeep Singh @ Deepa along with his wife Sarabjit Kaur and their minor children were caught by SI Sukhmandar Singh, Incharge Anti Narcotic Cell, Mohali. It is further stated that at that time Kuldeep Singh @ Deepa was having a bag with him, in which he was carrying Heroin and an amount of Rs. 2 Lakh. SI Sukhmandar Singh took the phones from Deepa and his wife and thereafter, he took them to CIA, Kharar and demanded Rs. 4 Lakh with a promise that he will be let off after paying the money, in response to which, Deepa contacted his brother and his brother Navjot Singh came to the police station along with money and the accused were let off. After a gap of two months, SI Sukhmandar Singh along with three other police officials, again went to the house of Deepa and he forcibly entered into his house and took away an amount of Rs. 1,30,000/- lying there. On receiving such information that SI Sukhmandar Singh and other police officials have not taken any legal action after nabbing Kuldeep Singh @ Deepa along with a bag containing Heroin and cash of Rs. 2 Lakh, a special report was prepared and thereafter, during proceedings, he was arrested.

Learned counsel for the petitioner further submits that co-accused Satwant Singh has already been granted concession interim bail, vide order dated 23.09.2019 passed in CRM-M-40802-2019, wherein, it was noticed that petitioner Maninder Singh @ Santy has acted as a middleman

along with co-accused Lovepreet Singh.

Learned counsel for the petitioner further argues that after the arrest of SI Sukhmandar Singh, an amount of Rs. 35,000/- along with 03 grams of Heroin were recovered from him and at the time of arrest of co-accused Lovepreet Singh, an amount of Rs. 1 Lakh was recovered from him and an amount of Rs. 65,000/- was recovered from co-accused Jyoti, who was the friend of Lovepreet Singh, however, nothing was recovered from the petitioner and he has been arrested only because he has acquaintance with co-accused Lovepreet Singh and Jyoti.

Learned counsel for the petitioner further submits that petitioner is in judicial custody since 13.08.2019; investigation qua petitioner is complete; he is no more required for any further custodial investigation and *challan* stands presented.

Learned State counsel, on instructions from the Investigating Officer, has opposed the prayer of the petitioner and, on the basis of the custody certificate filed today in Court, submitted that petitioner is involved in three other cases under the provisions of IPC, which pertain to the years 2014 and 2015.

Learned State counsel further submitted that the petitioner has acted as a middleman along with co-accused Lovepreet Singh for offering bribe to SI Sukhmandar Singh, however, he could not dispute the fact that no recovery was effected from the petitioner.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the parties, the instant

petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety to the satisfaction of the trial Court/Duty Magistrate concerned.

06.12.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No