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

**CRM-M No.949 of 2020
Date of Decision: 20.01.2020**

BALDEV SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Ms. Anupam Bhanot, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.128 dated 02.07.2019, registered under Sections 420/467/468/471/120-B IPC at Police Station Chattiwind District Amritsar.

The FIR was registered at the instance of Kuldeep Singh son of Tarlok Singh, Balraj Singh son of Mohinder Singh and Amritpal Singh son of Veer Singh. All the aforesaid persons have alleged that Shekhar Sharma along with three other persons namely Rohit Kumar, Mohd. Matoshi and Baldev Singh have taken huge amount for sending them abroad. The accused

have also forged some visas of the complainant party.

According to the FIR, an amount of Rs.3 lakhs was allegedly paid to the petitioner in cash. As per allegations, an amount of Rs.13,60,000/- was paid to Shekhar Sharma through RTGS and remaining amount was paid in cash to different accused persons. The share of the petitioner is alleged to be an amount of Rs.3 lakhs.

Learned counsel for the petitioner submitted that co-accused Shekhar Sharma has named the petitioner, whereas Sandeep Sharma was named on the basis of disclosure statement of Rohit Kumar and supplementary statement of Veer Singh father of Amritpal Singh (complainant).

Co-accused namely Sandeep Sharma has already been granted regular bail by this Court vide order dated 06.01.2020 passed in CRM-M No.44470 of 2019. The payment of alleged amount by cash is a debatable issue. Petitioner is in custody since 03.07.2019.

Learned State counsel on instructions from ASI Naresh Kumar submitted that challan has been presented and charges are yet to be framed.

Trial of the case may take some time in its final determination. At this stage, without adverting to the merits of the case, I am of the view that petitioner, who is in custody

since 03.07.2019 can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 20, 2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No