

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14100-2019 (O&M)
Date of decision: 27.05.2020

Sukhwinder Singh @ Pappi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajbir Singh, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.85 dated 24.10.2017 under Sections 419, 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station City-II, Mansa, District Mansa.

Learned counsel for the petitioner submits that the petitioner is in custody since 19.01.2019; investigation is complete; offences are triable by the Court of Magistrate and many of the co-accused have already been granted the concession of anticipatory bail/regular bail either by this Court or by the trial Court. Learned counsel relies upon the order dated 09.05.2019 passed in CRM-M-45545-2018, vide which co-accused Nirmal Singh was granted the concession of regular bail by this Court. The operative part of the order reads as under: -

“...Learned counsel for the petitioner contends that the

allegations against the petitioner in the FIR are that he while working as a helper to the Patwari had furnished a copy of revenue record to the accused person, Sukhwinder Singh. Sukhwinder Singh is alleged to have accompanied Jeet Kaur who impersonated as Mohinderjit Kaur, complainant while mortgaging her land and obtaining loan from the banks. He further contends that there is no allegation against the petitioner that he fabricated or forged revenue record. There is also no allegation of acceptance of monetary benefits by the petitioner. He also contends that co-accused of the petitioner, namely Gurpiar Singh and Sunil Kumar have been granted anticipatory bail in CRM-M-13770 of 2019 and CRM-M-4342 of 2019 respectively. The petitioner is in custody since 15.7.2018. The conclusion of the trial would take some time and no useful purpose would be served by keeping the petitioner behind bars.

Learned State counsel states that investigation has been completed but no witness has been examined...”

Learned counsel for the petitioner further submits that only allegation against the petitioner is that he has forged aadhar card of complainant Mahinderjit Kaur, by fixing photograph of one Jeet Kaur, who is beneficiary and impersonated as Mahinderjit Kaur, while mortgaging her land and for obtaining loan from the bank. It is further submitted that the petitioner is not involved in any other case.

Learned State counsel has not disputed the fact that the petitioner

is in custody for more than 01 year and 04 months and only two prosecution witnesses have been examined so far.

Without commenting anything on merits of the case, considering the fact that co-accused of the petitioner including the main accused/beneficiary Jeet Kaur have already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

27.05.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No