

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

208

CRM-M-16442-2020

Date of decision: 13.07.2020

Mandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Prince Sharma, Advocate
for the petitioner.

Mr. Manreet Singh Nagra, AAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C.") for grant of regular bail in case FIR No.300 dated 18.11.2019 registered under Sections 420, 467, 468, 471, 472, 120-B of the Indian Penal Code, 1860 (for short, "the IPC") at Police Station Civil Lines, Amritsar, District Amritsar, Punjab.

The above said FIR was registered on the basis of secret information that accused Sarabjit Singh alias Sabbu, Mandeep Singh and Kuldeep Singh alias tittu make duplicate identity card, false wills, duplicate stamps and other papers and submit surety bonds in the courts with false documents and if raid was conducted they could be caught with false documents and duplicate stamps. Raid was accordingly conducted and the petitioner and his co-accused were arrested. From

the possession of co-accused Sarabjit Singh alias Sabbu one identity card in the name of Manjit Singh son of Sucha Singh was recovered on which photograph of Sarabjit Singh was affixed. One Aadhar Card in the name of Amrik Singh was recovered from possession of the petitioner.

The petitioner, being in custody since the date of his arrest, has filed the present petition for grant of regular bail which is opposed by learned State Counsel who has also filed custody certificate dated 13.07.2020 of the petitioner through e-mail print out of which is taken on record.

I have heard learned counsel for the petitioner and learned State counsel and gone through the relevant record.

Learned counsel for the petitioner has argued that FIR has been registered on the basis of secret information and no aggrieved person approached the police. The offences of cheating and forgery are not made out. The trial is likely to take long time and no useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has argued that the petitioner alongwith his co-accused involved in forgery of documents and production of surety bonds before the Court with fake documents. He is involved in 4 other cases. The petitioner does not deserve grant of concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, particularly the fact that the petitioner has been arrested on the basis of

secret information, no person aggrieved approached the police to make any complaint against him, there is no evidence regarding forgery of documents and submission of surety bonds with fake bonds by the petitioner, the petitioner is involved in other cases but he is on bail in those cases and also the fact that trial is likely to take long time but without meaning to comment on merits, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, the petitioner is granted regular bail subject to the condition that he shall not commit any similar offence and in case of commission of similar offence by him in future his bail in the present case shall also be liable to be cancelled on application to be filed by the prosecution in this regard.

13.07.2020

kavneet singh

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No