

CRM M-25464 of 2020 (O&M)
Date of Decision: November 06, 2020

Versus

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The matter has been taken up through video-conferencing on account of lockdown due to outbreak of

pandemic COVID-19.

The above detailed two anticipatory bail applications both under Section 438 Cr.P.C. one by Ranjit Singh and another by Ashok Kumar having been moved in FIR No. 213 dated 15.08.2020 under Sections 177, 199, 200, 419, 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Division No. 5, Ludhiana and are being taken up together for disposal. Facts are being taken from CRM M 25464 of 2020.

Petitioner/accused Ranjit Singh who was working as clerk to an Advocate at Ludhiana in case titled as **State** Vs. **Vinay Bhandari** bearing FIR No. 82 dated 02.06.2020 under Sections 324, 326, 341, 148 and 149 IPC, Police Station Daresi, Ludhiana moved an application for accepting of bail bonds. Sureties bonds in the name of one Satpal Singh were furnished who showed his parentage as son of Mandeep Singh but on verification the bonds carried the name of father as Joginder Singh. As a consequence of this, a suspicion arose in the mind of the learned JMJC and upon further verification, the identification of these persons disclosed as Jagmohan Singh son of Karnail while the attesting witness as Roop Singh son of Bhajan Singh all residents of District Ludhiana. These persons also furnished their original Aadhaar cards. Upon further verification it transpired that Aadhaar cards furnished by above

said Satpal Singh and the witness Jagmohan Singh actually were invalid. On verification, it transpired that Satpal Singh had impersonated and his actual name was Om Parkash son of Shabinath at the behest of one Ashok Kumar son of Raj Kumar (petitioner in CRM M-26860 of 2020). Furthermore Jagmohan Singh witness/identifier was in fact impersonating and his actual name was Jasbir Singh son of Avtar Singh. As a consequence of this conspiracy and cheating through impersonation, the learned Magistrate sent a complaint leading to registration of the present case.

Learned counsel for the petitioner Ranjit Singh *inter alia* contends that there is nothing substantial to show role of the accused/petitioner in the commission of the offence and he is merely a clerk of the Advocate and has been falsely implicated. It is contended that the principle accused already stands arrested and nothing is to be recovered from both the petitioners.

Mr. Harbir Sandhu, AAG, Punjab the learned State counsel has strongly opposed the bail on the grounds that the accused persons have tried to impersonate in Court and cheat and in view of the heinousness of the offence disentitles to any relief.

Appreciating the submissions from the allegations

and the records it clearly bears out that all the accused entered into a conspiracy with an ulterior motive to furnish forged and fabricated surety bonds. Such like practices in this part of the State has over a period of time attained notoriety and needs to be curbed with a heavy hand. The very sanctity of the judicial system has been put to doubt by these persons and the investigation is still under way and custodial interrogation of the petitioners is very much essential for comprehensive investigation. More so, it is well settled preposition of law that powers under Section 438 Cr.P.C are to be sparingly used.

In view of above, both the petitions stand dismissed.

November 06, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

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