

CRM-M-40265-2019 (O&M)
CRM-M No. 51963 of 2019 (O&M)
CRM-M No. 55181 of 2019 (O&M)

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

**CRM-M No.40265 of 2019 (O&M)
Date of Decision:- 22.01.2020**

Mohd. Matoshi @ Mohd. Mohsin ...Petitioner

Versus

State of Punjab ... Respondent

CRM-M No. 51963 of 2019 (O&M)

Shekhar Sharma ...Petitioner

Versus

State of Punjab ... Respondent

CRM-M No. 55181 of 2019 (O&M)

Rohit ...Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr.Kushagra Mahajan, Advocate,
for the petitioner in CRM-M No.40265 of 2019.

Mr. PKS Phoolka, Advocate,
for the petitioner in CRM-M-51963-2019.

Mr. Rishu Mahajan, Advocate
for the petitioner in CRM-M No. 55181 of 2019.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Vide this common order, CRM-M No.40265 of 2019, CRM-M No. 51963 of 2019 and CRM-M No. 55181 of 2019 are being disposed of. Since all the aforesaid cases have arising out of common FIR, therefore, common facts are being noticed.

Petitioners seek regular bail in case bearing FIR No.128 dated 02.07.2019 under Sections 420 and 120-B IPC, 1860 registered at Police Station Chattiwind, District Amritsar.

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.

The aforesaid persons have alleged that Shekhar Sharma along with Rohit Kumar, Mohd. Matoshi and Baldev Singh have taken huge amount from the complainants for sending them abroad. According to the allegations, an amount of Rs.13,60,000/- was transferred in the account of Shekhar Sharma and another sum of Rs.10,00,000/- was given in cash. An amount of Rs.3,00,000/- was paid to Baldev Singh. The accused have forged some 'Visas' of the complainant party.

Co-accused Sandeep Sharma was named on the basis of statement of Rohit Kumar and supplementary statement of Veer Singh father of Amrit Pal Singh, complainant.

Said Sandeep Sharma was granted regular bail in CRM-M No.44470 of 2019 on 6.1.2020. Co-accused Baldev Singh has been granted bail by this Court in CRM-M-949 of 2020 on 20.01.2020.

As per the allegations, no amount was paid to Mohd. Matoshi @ Mohd. Mohsin and no recovery has been effected from him as per the instructions obtained by learned State counsel from ASI Jagbir Singh.

Similarly, no amount was entrusted to Rohit Kumar and nothing has been recovered despite police remand obtained by the police. The case of Mohd. Matoshi @ Mohd. Mohsin and Rohit Kumar are at par with Baldev Singh who has been granted regular bail on 20.01.2020.

So far as, Shekhar Sharma is concerned, an amount of Rs.13,60,000/- was transferred in his account. Another sum of Rs.10,00,000/- was paid in cash (according to the allegations). The Investigating Officer has verified the facts from bank record. Only an amount of Rs.20,000/- has been recovered from Shekhar Sharma despite his police remand. An amount of Rs.1,50,000/- is lying in his account which has already been

seized.

Learned State counsel further states that challan has been presented and charges are yet to be framed.

The petitioners are in custody since July, 2019. Trial of the case may take some time in its culmination.

At this stage, without meaning anything on the merits of the case, it would be just and appropriate to release the petitioners on regular bail.

In view of above, the present petitions are allowed and the petitioners are ordered to be enlarged on bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, Amritsar.

Nothing expressed hereinabove shall be construed to be an opinion on merits of the case.

22.01.2020

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No