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

1. CRM-M No.39823 of 2019
Date of Decision: 30.01.2020

SUKHMANDER SINGHPetitioner
Vs
STATE OF PUNJABRespondent

2. CRM-M No.42671 of 2019

LOVEPREET SINGHPetitioner
Vs
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Ms. Shagufta Benipal, Advocate
for the petitioner in CRM-M No.39823 of 2019.

Mr. Satnam Singh Gill, Advocate
for the petitioner in CRM-M-42671-2019.

Mr. Ramandeep Sandhu, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

In compliance of the order dated 07.12.2019, affidavits of Gurpreet Singh, PPS, Deputy Superintendent of Police, Special Task Force, Rupnagar Range, District SAS Nagar filed in court are taken on record.

Vide this common order, CRM-M No.39823 of 2019 and CRM-M No.42671 of 2019 are being decided. Since both the

petitioner arise out of common controversy, therefore, for brevity facts are being culled out from CRM-M No.39823 of 2019.

Petitioners seek grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.71 dated 31.07.2019, registered under Sections 384, 452, 120-B IPC and Sections 7 & 13 of the Prevention of Corruption Act at Police Station Special Task Force, District STF Wing (Mohali) (Sections 454, 380 and 342 IPC and Section 8 of the Prevention of Corruption Act and Sections 25 and 29 of the NDPS Act added later on).

As per prosecution story, the FIR was registered on the basis of secret information. Kuldeep Singh @ Deepa along with his family and family of his friend were caught by the petitioner-Sukhmander Singh, who was the Incharge, Anti Narcotic Cell Mohali prior to Lok Sabha elections. Few grams of heroin and an amount of Rs.2 lakhs was recovered from the bag of Kuldeep Singh @ Deepa. Petitioner-Sukhmander Singh took phones from Kuldeep Singh @ Deepa and one phone from his wife and then took them to Police Station Kurali. After taking the bag of Kuldeep Singh @ Deepa, Petitioner-Sukhmander Singh went outside and he came along with fellow employees and took them to CIA Office, Kharar, where he demanded an amount of Rs.4 lakhs from Kuldeep Singh @ Deepa for leaving him. Kuldeep Singh @ Deepa contacted his brother and asked for

money. After two hours, his brother Navjot Singh brought the amount to the petitioner. Thereafter petitioner-Sukhmander Singh kept the phones with him.

According to prosecution story, after some days, the petitioner-Sukhmander Singh visited the house of Kuldeep Singh @ Deepa, where Kuldeep Singh @ Deepa was not found present, but petitioner-Sukhmander Singh entered the house illegally and took away an amount of Rs.1,30,000/- which was lying in his house.

The prosecution story further shows that three mediators namely Jyoti, Lovepreet Singh and Maninder Singh are also involved in the present case along with Satwant Singh, SHO of Police Station Kurali. As per the investigation, Jyoti and Lovepreet Singh have taken an amount of Rs.1,50,000/- out of total amount of Rs.4,00,000/- which was given to Inspector Satwant Singh from the booty which is the subject matter of present case.

Learned Senior counsel for the petitioner-Sukhmander Singh submitted that Jyoti and Maninder Singh have already been granted regular bail by the High Court in CRM-M No.44471 of 2019 and CRM-M No.46238 of 2019 vide orders dated 22.11.2019 and 06.12.2019 respectively. Third mediator namely Lovepreet Singh is also in custody. Inspector Satwant

Singh has also been arrayed as an accused, who is on interim anticipatory bail since 23.09.2019.

Learned State counsel on instructions from DSP Gurpreet Singh submitted that challan has been presented. Charges have not been framed. Trial of the case may take some time in its culmination. Petitioners namely Sukhmander Singh and Lovepreet Singh are in custody since 31.07.2019 and 08.08.2019 respectively.

In the light of aforesaid facts, at this stage, without adverting to the merits of the case, I am of the view that concession of regular bail can be granted in favour of the petitioners namely Sukhmander Singh and Lovepreet Singh.

In view of above, petition is allowed. Petitioners are ordered to be released on bail, subject to their 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 30, 2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No