

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

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**CRM-M-46121-2019 (O&M)
Decided on : 04.06.2020**

Simranjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Dr. Rau P.S. Girwar, Advocate for the petitioner (s).

Mr. SPS Tinna, Addl. AG, Punjab.

G.S. Sandhawalia, J. (Oral)

The matter has been taken up by way of Video Conferencing facility in view of COVID-19 situation, as per instructions issued.

CRM-12150-2020

Application for preponement of the main petition from 16.07.2020 has been filed.

Accordingly, in view of the reasons given in the application, the same is allowed. The hearing of the main petition is postponed to today itself.

CRM stands disposed of.

CRM-12353-12354-2020

Applications for placing on record Annexures P-4 to P-6 and for exemption from filing certified copies of the same are allowed, subject to all just exceptions. Annexures P-4 to P-6 are taken on record. Office to append the same at the appropriate place.

CRMs stand disposed of.

Main petition

In the present petition filed under Section 439 Cr.P.C., the petitioner is seeking concession of regular bail in case FIR No.75 dated 29.07.2019 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Ramdas, Amritsar Rural.

Counsel for the petitioner has submitted that in the FIR initially only Surjit Singh and Sandeep Singh had been named and a sum of Rs.3 lakhs had been given to Surjit Singh for the purpose of recruitment. The petitioner's name is stated to have figured in the investigation and, accordingly, the petitioner was arrested on the next date of FIR i.e. 30.07.2019. It is submitted that the main accused Sandeep Singh and Surjit Singh have been released on regular bail by the Coordinate Bench of this Court in CRM-M-44463-2019 and CRM-M-48778-2019 on 29.01.2020 and 14.02.2020, respectively.

A perusal of the said orders would go on to show that the complainant Gajjan Singh himself has not supported the case of the prosecution and even the statement of the said complainant has been placed on record by the counsel for the petitioner, wherein the complainant has been declared hostile.

Counsel for the petitioner submits that the petitioner is the brother-in-law of the main accused Surjit Singh, due to which he has been implicated.

Counsel for the State has opposed the bail application on the ground that the petitioner alongwith Surjit Singh was involved in another

case arising out of FIR No.81 dated 18.08.2019 regarding similar facts.

Counsel for the petitioner submits that in the said case the petitioner was arrested after lodging of present FIR due to political vendetta and he had been released on regular bail in CRM-M-46196-2019 on 02.03.2020.

Keeping in view the quantum of detention, since over 10 months have gone by and the material witnesses have resiled on account of having entered into some compromise with the complainant, it would not be futile to keep the petitioner in custody during the pendency of the trial.

Accordingly, the bail application is allowed. He shall be released on regular bail on furnishing of bail bonds/sureties to the satisfaction of the Trial Court/Duty Magistrate, Amritsar.

June 04, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No