

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

212

**CRM-M-51699-2019
Date of Decision : 11.02.2020**

Captain Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Varinder Brar, Advocate for
Mr. Karanjit Singh, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J. (Oral)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.176 dated 03.08.2019 registered under Sections 420, 465, 468 and 471 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Civil Lines, District Amritsar to which Sections 467, 466, 464-A of the IPC were added later on.

As per the prosecution version, on 03.08.2019 ASI Lakhwinder Singh along with other police officials was patrolling on private vehicle near Doaba Agency, Court Road, Amritsar. Secret informer give information that accused-Captain Singh, who is working in District Court, Amritsar earned lots of money by cheating innocent people by giving them fake Aadhar Card, Driving license and Voter ID. He is coming on his Activa from Bhandari Bridge to District Court, Amritsar for distributing fake Aadhar Card and Driving License and if nakabandi is conducted he could be overpowered and fake Aadhar Card and Driving Licenses could be recovered from him. On the basis of Ruqa sent to SHO, Police Station Civil Lines, Amritsar the above-said FIR was registered. During investigation recovery of 12 Aadhar Cards and 5 Driving Licenses was made from the petitioner. Statements of the concerned persons were recorded which showed that the petitioner was indulging in illegal business of preparing fake and forged Driving

License and Aadhar Card for subsequent misuse. On completion of investigation charge-sheet has been filed against the petitioner.

Learned State Counsel has appeared and opposed the bail application.

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

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case on the basis of secret information and alleged recovery which has been planted on him. The petitioner is in custody since 03.08.2019. Trial is likely to take long time and no useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the allegations against the petitioner are serious and the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, period of custody and the fact that the trial is likely to take long time but without commenting on merits of the case, 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 regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial 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 in this regard.

11.02.2020

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**(ARUN KUMAR TYAGI)
JUDGE**

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