

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

108

**CRM-M-51731-2019
Date of Decision : 20.02.2020**

Jagmeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Ranbir Singh Sekhon, 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.167 dated 18.10.2019 registered under Sections 420, 465, 467, 468, 471, 472 and 120-B of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station City Fazilka, District Fazilka.

The above-said FIR was registered on complaint of Sudhir Pathak, SMO, Civil Hospital, Fazilka alleging that one Tarsem Singh had prepared a forged medical report regarding Dope Test for his arms licence. The stamp of dope test, stamp of Medical Officer and signatures of the Medical Officer were found to be forged on the medical certificate. On secret investigation it was found that the above-said forged medical certificate was prepared by accused-Ajay Singh and Jagmeet Singh (petitioner) along with their other accomplices.

The petitioner who is in custody since October, 2019 has filed present application for regular bail.

Learned State Counsel has appeared and opposed the bail application. However, no reply has been filed by the State.

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 as per the contents of the FIR Tarsem Singh had committed the offences by forging

medical report for arms licence. The petitioner has been falsely implicated in the present case due to being friend of Tarsem Singh. Alleged recovery was planted on him. All the offences alleged to have been committed by the petitioner are triable by Judicial Magistrate First Class. 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 of fraud and forgery 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 his custody and the fact that adjudication of his guilt or innocence on the basis of evidence to be produced during the trial is likely to take long time and that his further detention in custody, not being punitive, will not serve any useful purpose 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 subject to the condition that the petitioner will not commit any offence of similar nature and in case of commission of any offence of similar nature by the petitioner, his bail in the present case shall also be liable to be cancelled on filing of application by the prosecution in this regard.

20.02.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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