

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-19866-2021
in/and
CRM-M-3993-2021
Date of Decision: 27.07.2021

BALJEET SINGH	Versus	...Petitioner
STATE OF PUNJAB		...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CRM-19866-2021

This is an application for preponing the main case, which is pending for 23.08.2021. For the reasons stated in the application, the same is allowed as prayed for. The main case is taken up on Board today itself.

CRM-M-3993-2021

1. This is petitioner's third foray before this Court seeking regular bail in FIR No.55 dated 25.05.2019, registered under Sections 420, 465, 468, 471 IPC (offences under Sections 467 and 120-B IPC added later on) at Police Station Khanauri, District Sangrur, first being **CRM-M-22299-2020** and second being **CRM-M-27266-2020**, both were dismissed as withdrawn on **02.09.2020** (Annexure P-6) and **18.09.2020** (Annexure P-7), respectively.

2. Per prosecution version, petitioner along with other co-accused cheated/misled/misrepresented certain gullible job seekers claiming that some relative of one Sohan Lal, alleged to be the prime accused, is a sitting Judge of Punjab and Haryana High Court and he was influential enough to get them

employment on certain clerical posts on a *quid pro quo* of cash for employment. They duped the complainant and others to the tune of Rs.31,39,797/- on the pretext of getting them jobs of Clerks/Peons in different departments and also issued them the forged appointment letters.

3. Learned counsel for the petitioner argues that there is no allegation and/or any role attributed to the petitioner with respect to the offence under Section 467 IPC and the other sections invoked in the FIR are all triable by the Court of Magistrate, with a maximum envisaged punishment as three years. As against the same, the petitioner has already been under pre-trial incarceration since 23.06.2020. Learned counsel further contends that all the entire alleged financial transactions and the remittance of money took place in the account of prime accused Sohan Lal, as per the own case of prosecution. Learned counsel further submits that the role attributed to the petitioner is similar to that of another co-accused, namely, Malkit Singh, who has already been accorded the benefit of regular bail by a co-ordinate Bench of this Court in CRM-M-22152-2021 vide order dated 23.07.2021. He contends that on the basis of parity alone, the petitioner is entitled to regular bail as the role attributed to him as well as his co-accused is same.

4. Mr. Rana Harjasdeep Singh, D.A.G., Punjab, who has joined proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State. He opposes the bail plea of the petitioner on the ground that the offences committed by him are serious in nature and keeping in view the gravity of the offences committed by him, he is not entitled to the benefit of regular bail.

5. Having heard learned counsel for the petitioner, as well as learned State counsel, I am of the view that no useful purpose would be served by keeping the petitioner behind the bars by way of preventive custody. He is stated to be in custody since 23.06.2020. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions when courts are working under restrictions.

6. In the premise, the instant petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Illaqa Magistrate/Duty Magistrate concerned, as the case may be.

7. It is, however, made clear that in case the petitioner is found involved in any other case of similar nature while on bail or misuses the bail

concession otherwise, the prosecution shall be at liberty to seek cancellation of his bail.

July 27, 2021
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No