

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

CRM-M-4318-2021(O&M)
Date of decision:-28.4.2021

Rajinder Pal Singh @ ERP Sidhu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr.Naveen Sharma, Advocate
for the petitioner.

Mr.J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This third petition for regular bail has been filed by petitioner Rajinder Pal Singh @ ERP Sidhu, aged about 32 years, resident of Street No.14, Gaganpreet Vihar, Churpur Road, Haibowal, District Ludhiana, an accused in FIR No.279 dated 26.8.2019, under Sections 379-B, 34 IPC and 25 of Arms Act (Challan presented under Sections 409, 203, 120-B IPC and 25 of Arms Act), registered with Police Station Division No.5, District Ludhiana.

Briefly stated, the facts of the case as per the prosecution story are that on 26.8.2019 petitioner - Rajinder Pal Singh @ ERP Sidhu,

Head Cashier in PSPCL was carrying Rs.10 lakhs, which was public money, which he was going to deposit in another Branch of PSPCL. He informed Gurpreet Singh – SDO telephonically at about 4:00 p.m. when he was near Gate No.2 of Punjab Agricultural University that two motorcyclists having dangerous weapons had snatched the money from him. The police was informed. However, it was found that Rajinder Pal Singh @ ERP Sidhu (present petitioner) had concocted the story and he himself was involved in misappropriation of that amount. A picket was laid by the police and Baleno car bearing registration No.PB10GY-6620 was intercepted near Jawahar Nagar Camp, Ludhiana. Petitioner - Rajinder Pal Singh @ ERP Sidhu, Head Cashier along with Manpreet Singh @ Mani and Abhishek Sharma @ Abhi were found to be travelling in that car. The amount of Rs.10 lakhs was recovered from petitioner - Rajinder Pal Singh @ ERP Sidhu. All the three occupants of the car were arrested and sent behind bars.

The petitioner/accused had approached the Court of Sessions at Ludhiana seeking regular bail by moving application but was unsuccessful inasmuch as his application was dismissed by learned Additional Sessions Judge – 1, Ludhiana on 23.6.2020. The petitioner had approached this Court twice earlier seeking grant of regular bail but those petitions had been withdrawn. Now the petitioner has come to this Court for the third time craving for grant of regular bail.

Notice of the petition was given to State of Punjab, which has appeared through counsel.

I have heard learned counsel for the parties besides going through the records.

The petitioner/accused is behind bars since the day of incident itself i.e. for a period of more than 1 ½ years. The recovery of the amount has already been effected. The co-accused of the petitioner, namely Abhishek Sharma @ Abhi has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 7.11.2019, copy Annexure P6 passed in CRM-M-46766-2019(O&M) and other co-accused namely Manpreet Singh @ Mani has also been granted concession of regular bail by this Court vide order dated 8.1.2020, copy Annexure P5 passed in CRM-M-54099 of 2019. The conclusion of the trial is likely to take some time. The guilt of the accused shall be determined during the trial. The petitioner is not shown to have any past criminal record. Therefore, I find it proper and appropriate to grant concession of regular bail to the petitioner/accused.

Accordingly, the petition stands allowed. The petitioner/accused is ordered to be released on bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana on following conditions:

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses;
- (iii) he shall not indulge in any criminal activity;
- (iv) he shall join the investigation as and when directed by the Investigating Officer; and
- (v) he shall not leave India without prior permission of the Court;

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

It may be mentioned here that nothing discussed hereinabove shall have any bearing on the merits of the case.

28.4.2021
Brij

(H.S. MADAAN)
JUDGE

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