

In virtual Court

CRM-M-4399-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4399-2021 (O&M)
Date of decision: 05.02.2021

Rajdeep Singh @ Binder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.209 dated 15.11.2019 under Sections 420, 34 IPC, registered at Police Station Sadar, Faridkot, District Faridkot.

Learned counsel for the petitioner relies upon the order dated 12.01.2021 passed in CRM-M-8097-2020, vide which co-accused Mitha Lal has been granted the concession of regular bail. The operative part of the order reads as under: -

“...Counsel for the petitioner has argued that as per the allegations in the FIR, the complainant has given a complaint against one Rajdeep Singh @ Binder as well as the petitioner i.e. Mitha Lal, that he has deposited the amount of Rs.1.25 lacs,

Tarsem Singh has deposited the amount of Rs.1.15 lacs and Angrej Singh deposited the amount of Rs.2.60 lacs, total Rs.4.00 lacs, in the account of the petitioner for procuring a job in B.S.F.

Counsel for the petitioner has further submitted that in fact the petitioner was working as an employee with Rajdeep Singh and he fell into the trap and has deposited the amount in the account of the petitioner and the same was taken by Rajdeep Singh.

Counsel for the petitioner has further argued that the petitioner is in custody for the last 01 year and 01 month and he is not involved in any other case. It is also submitted that the trial is not proceeding due to the COVID-19 situation in the country.

Counsel for the State could not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is the first offender; he is in custody for the last more than 01 year and 01 month; he is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate...”

Learned counsel for the petitioner submits that allegations against the petitioner are identical that he and other accused have taken money from the

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complainant for providing job in BSF.

Learned State counsel has filed the custody certificate dated 04.02.2021 in the Court today and as per this custody certificate, the petitioner is in custody for the last 01 year and 05 days.

Without commenting anything on merits of the case, considering the fact that co-accused of the petitioner has already been granted the concession of regular bail; offences are triable by the Court of Magistrate and the petitioner is in custody for the last about 01 year, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.02.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No