

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

CRM-M-9399-2021

Date of Decision: 09.03.2021

Simranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Bhatheja, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Surinder Pal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.17 dated 05.11.2020 registered at Police Station Vigilance Bureau, Ferozepur, District Ferozepur, under Section 7 of Prevention of Corruption Act, 2015 and under Sections 379-B, 342, 384, 419, 506, 120-B IPC.
2. The FIR in question was lodged at the instance of Gagandeep Singh, wherein it has been submitted that he is a driver of mini bus. On 03.11.2020, at about 5:30 PM, when he along with his friend Mantej Singh @ Raman reached at Moga Bus Stand from Ludhiana, three persons in civil dress who were calling each other by the names of C. Sarabjit Singh, C. Iqbal Singh and Jaspreet Singh Ghallan Wala, met them and asked if Bullet motorcycle bearing No.7161 belongs to him. They took them to a room situated in a street behind the bus stand and gave beating to them

and took Rs.28,500/-, two wallets of brown colour containing their Aadhar Cards, PAN Cards, Driving Licences, ID Cards of bus and his cheque book issued by HDFC bank bearing account No.5010056803682 consisting of 8 cheques. They also recovered one syringe from the pocket of his friend Mantej Singh and stated that you sell drugs and stated that they are posted in CIA Staff and they would take them to CIA Staff for registration of the FIR. The complainant and his friend under fear requested them not to do so and stated that they were not in the habit of selling the drugs and were innocent. On this, C. Sarajbit Singh demanded an amount of Rs.1 lakh as illegal gratification if they wanted to save themselves from the FIR. On their repeated requests, the bargain was struck at Rs.50,000/-. The complainant requested them to grant some time to arrange the money. C. Sarabjit Singh kept the articles recovered from them along with the Bullet motorcycle and asked them to take the said articles along with the motorcycle on payment of amount of illegal gratification. C. Iqbal Singh took away his Bullet motorcycle bearing registration No.PB-69-C-7161 and told him to call telephonically on arrangement of money. After arrangement of Rs.15,000/-, at about 10:40 AM, on 05.11.2020, he called C. Sarabjit Singh from his mobile No.9915331800 on mobile No.9501618023 and disclosed them that he could arrange only for Rs.15,000/- and requested them to take the said amount and to resolve the matter and upon which he called complainant along with the money at bus stand Moga. It is further alleged that the complainant did not want to pay the said amount of illegal

gratification and therefore, he took the amount along with Gurpreet Singh to the office of Vigilance Bureau and produced the amount of illegal gratification along with the recording with regard to demand of illegal gratification by C. Sarabjit Singh, C. Iqbal Singh and Jaspreet Singh Ghalkalan Wale. After following the due procedure to be adopted in a trap case, a trap was laid by keeping Dr. Satwinder Singh, Agriculture Development Officer Block, Moga-2 as shadow witness and when they reached the spot, C. Sarabjit Singh and Jaspreet Singh took the complainant on their scooty to a room in a hotel and have him head injury, snatched the amount of Rs.15,000/- along with his mobile phone and also threatened to keep the motorcycle and its RC on mortgage and told him to pay them the remaining amount of illegal gratification out of Rs.50,000/- otherwise they would lodge false FIR against him and his friend Mantej Singh on the basis of the blank papers signed by them.

3. It is further the case of prosecution that during the course of investigation the motor-cycle bearing registration No.PB-69-C-7161 belonging to the complainant was recovered from the house of Simranjit Singh (petitioner). It is the case of prosecution that the complainant Gagandeep Singh in his supplementary statement stated that Sarabjit Singh after getting the illegal gratification of Rs.15,000/- had told Simranjit that intoxicants had been recovered from the complainant and that the matter had been settled by taking money from him and that the motorcycle is to be returned back to the complainant.

4. The learned counsel for the petitioner has submitted that he is nowhere named in the FIR and has been nominated as an accused subsequently on the basis of the supplementary statement, the veracity of which would be debatable.
5. Opposing the petition, the learned State counsel has submitted that since the recovery of motorcycle has been effected from the house of the petitioner Simranjit Singh, his complicity in the entire occurrence is clearly evident and as such, no case for grant of bail is made out. The learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 4 months and that he is not involved in any other case and that challan already stands presented.
6. Having regard to the facts and circumstances of the case and while noticing that the petitioner has been behind bars since the last about 4 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

09.03.2021
Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**