

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

CRM-M-13178 of 2021 (O&M)

DECIDED ON: 19th JULY, 2021

Sarabjit Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Balkaran Aulakh, Advocate for petitioner.

Ms. Monika Jalota, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is for grant of regular bail in a case of FIR No.17, dated 5.11.2020, registered at Police Station Vigilance Bureau Range, Ferozepur, under Section 7 of Prevention of Corruption Act 1988 (as amended by Prevention of Corruption (Amendment) Act, 2018) (Sections 379-B, 120-B IPC, Sections 342, 384, 419, 506 IPC added later on).

The FIR was lodged at the instance of Gagandeep Singh. It was stated that he is a driver of mini bus. On 03.11.2020, at about 5:30 pm, he along with his friend Mantej Singh @ Raman reached at Moga Bus Stand where three persons in civil dress who were calling each other by the name i.e. C. Sarabjit Singh, C. Iqbal Singh and Jaspreet Singh Ghal Kalan, enquired about ownership of Bullet motorcycle bearing No.PB-69-C-7161. Petitioner and his friend were taken to a room situated in a street behind the bus stand. They were given beatings. A sum of Rs.28,500/-, two wallets of brown colour containing their Adhar Cards, PAN Cards, Driving Licences, ID Cards and cheque book issued by HDFC bank bearing

account No. 5010056803682 consisting of 8 cheques were snatched. A recovery of one syringe from the pocket of his friend Mantej Singh was made. The petitioner was threatened for being entangled in FIR. C. Sarabjit Singh demanded Rs. One lakh as illegal gratification for not getting FIR registered. Ultimately, the bargain was struck at Rs.50,000/-. The complainant requested for some time to arrange the money. C. Sarabjit Singh kept the articles along with the Bullet motorcycle till the payment is made. After making arrangement of Rs.15,000/- on 05.11.2020, C.Sarabjit Singh was given a call with a request to take the amount and to resolve the matter. The matter was reported to Vigilance Bureau by complainant. After following the procedure, a trap was laid by keeping Dr. Satwinder Singh, Agriculture Development Officer Block, Moga-2 as shadow witness. C.Sarabjit Singh and Jaspreet Singh took the complainant on their scooty to a room in a hotel and snatched the amount of Rs.15,000/- along with his mobile phone, and threatened to keep the motorcycle and its RC till remaining amount is paid.

Learned counsel for the petitioner claims parity with co-accused in CRM-M-1164-2021 (Iqbal Singh Versus State of Punjab) and CRM-M-9399-2021 (Simranjit Singh Versus State of Punjab). He submits that the petitioner is in custody, investigation is complete and no further recovery is to be made.

Learned State counsel submits that there was recovery of ATM Card, Adhar Card and Pan Card from house of petitioner. She submits that the charges are yet to be framed.

No recovery is to be made from the petitioner. Investigation is complete, conclusion of trial is likely to take time and co-accused were granted bail, the petitioner is directed to be released on bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

19th JULY, 2021

reema

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes*
Whether reportable *Yes*