

CRM-M-20672-2021

Date of Decision: 08.06.2021

ASSA SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Angraze Singh Dhindsa, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to
COVID-19 pandemic.

Custody certificate of the petitioner has been placed on record.

Through instant petition, the petitioner is seeking regular bail in case
bearing FIR No.93 dated 30.07.2019 under Sections 419/420/465/467/468/471
and 120-B IPC registered at Police Station Shambu, District Patiala.

Briefly, the allegations against the petitioner are to the effect that the
property of Mann Kaur, the mother of Paramjit Singh (complainant) was sold by
way of impersonation and the amount of compensation was received by the
accused persons. Som Kaur, the mother of the petitioner, had impersonated as
Mann Kaur, Balwinder Singh, Heera Singh, Somy, Mittar Kaur, Assa Singh
(petitioner) and other persons are also involved in the conspiracy.

It has been contended by learned counsel for the petitioner that all
the offences are triable by Judicial Magistrate 1st Class. The petitioner is in
custody since 12.01.2021, he is not a signatory to the sale deed or beneficiary to
the sale proceeds and Som Kaur, who allegedly impersonated as vendor, has been
granted regular bail by the Court of Session. Moreover, Heera Singh has been
granted pre-arrest bail by a Coordinate Bench of this Court in terms of order dated

07.02.2020 passed in CRM-M-35882-2019, Gurwinder Singh @ Pamma and Karamjit Singh @ Sonu have been granted regular bail by this Court in terms of order dated 11.02.2020 passed in CRM-M-5041-2020 and the petitioner is not, in any manner, privy to the transaction or impersonation of Mann Kaur.

On the contrary, learned State counsel has opposed the bail application on the score that there are serious allegations against the petitioner and he is the son of Som Kaur, who had impersonated as a vendor.

Be that as it may, it will be too early to conclude that the petitioner is also involved in the conspiracy being son of the person who had allegedly impersonated. Moreover, the petitioner is stated to be neither a signatory nor beneficiary under the sale deed, he is in custody for the last about 5 months, the offences are triable by learned Judicial Magistrate 1st Class, the investigation of the case is complete, the challan has already been presented in the Court and conclusion of trial is likely to take some time on account of restricted hearing of the Courts due to Covid-19 Pandemic. As such, no fruitful purpose would be served by detaining the petitioner in further custody.

In view of the above, sufficient grounds are made out to extend the concession of bail to the petitioner and he is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate/Trial Court.

Accordingly, the petition stands allowed.

08.06.2021
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(VIVEK PURI)
JUDGE

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