

In virtual Court

CRM-M-19700-2021

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

**CRM-M-19700-2021 (O&M)
Date of decision: 17.05.2021**

Teja Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.53 dated 04.04.2021 under Sections 419, 420, 120-B, 384, 365, 389, 342, 506, 170 IPC, registered at Police Station Urban Estate, Patiala.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of one Mohinder Singh Rawat, he is posted as Manager in SBI Branch, Moonak and about four months ago, he received a call from a lady named Poonam from mobile No.70872-79009 and she informed that she is a widow lady and liked him and wanted to meet him. On 26.02.2021, the complainant went to house of friend of Poonam and stayed there for about one hour. When they were having meal, two police officials came there. One of

them was in uniform and disclosed his name as ASI Ashok Kumar and another person disclosed his name as Amarjit Singh, who was in formal dress. ASI Ashok slapped him and forcibly took away ATM card and some other documents and threatened him that if he did not make the payment, he will publish his name in the newspaper. Thereafter, ASI Ashok Kumar withdrawn an amount of Rs.1.00 lac and further demanded Rs.3.00 lacs. Under pressure, the complainant called his wife for making arrangement of an amount of Rs.2.50 lacs, but she stated that same cannot be arranged before 10.00 a.m. next day. The complainant along with Amarjit Singh went to his friend Joginder Batra and borrowed Rs.2.00 lacs and paid to ASI Ashok Kumar. It is further stated that later on, he came to know that one Faquir Chand impersonated himself as ASI Ashok Kumar, who was posted as Sub Inspector in Wireless Department, whereas real name of other person, who impersonated himself as Amarjit Singh, is Teja Singh/petitioner.

Learned counsel for the petitioner further submits that the petitioner is an old man aged about 70 years and placed on record his Aadhar Card to show that his date of birth is 01.01.1951. It is argued that the petitioner, who is aged about 70 years and from appearance, he cannot look like a person, who is serving as police official. It is further submitted that the petitioner is suffering from age related ailments and has been falsely nominated in the FIR and has no concern with the offence. It is also submitted that co-accused Faquir Chand as well as Poonam have already been arrested and the petitioner is ready to join the investigation.

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Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of the respondent-State. He could not dispute the factual position and submits that name of the petitioner surfaced in the disclosure of co-accused. It is also not disputed that co-accused Faquir Chand as well as Poonam have already been arrested.

After hearing learned counsel for the parties and considering the aforesaid submissions made by them as well as age of the petitioner and his health condition and in view of COVID-19 situation in the country, this petition is allowed and the petitioner is granted anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

However, it will be open for the Investigating Officer to call the petitioner for joining him in the investigation, by issuing an advance notice in writing.

[ARVIND SINGH SANGWAN]
JUDGE

17.05.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No