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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:23.09.2021

1. CRM-M No.20773 of 2021(O&M)

Buta Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

2. CRM-M No.13541 of 2021(O&M)

Jaspal Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Vivek Salathia, Advocate
for the petitioner(s) in CRM-M No.20773 of 2021.

Mr. Vipul Aggarwal, Advocate
for the petitioner(s) in CRM-M No.13541 of 2021.

Mr. C.L. Pawar, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The cases have been taken up for hearing through
video conferencing.

Vide this common order, CRM-M No.20773 of 2021
titled Buta Singh Vs. State of Punjab and CRM-M No.13541 of

2021 titled Jaspal Singh Vs. State of Punjab are being disposed of. Common facts are being noticed.

In both the petitions, prayer is for grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.14 dated 12.01.2021 registered under Sections 420, 408, 465, 467, 468, 471, 120-B IPC at Police Station Jandiala, District Amritsar Rural.

Perusal of the record would show that allegations are in respect of taking oil from a fueling station by different persons on credit basis and non-payment thereof in a deceitful manner. During course of investigation, the employees of the petrol pump namely Kuldeep Singh, Nirmal Singh, Mahekdeep Singh, Mandeep Singh, Satnam Singh, Suhel Sharma and Balwinder Singh were found to be involved in the case. Kuldeep Singh was taking oil on credit basis from the petrol pump and his connivance with Nirmal Singh and others was also found. Kuldeep Singh met Balwinder Singh and Ranjit Singh and all the three accused were involved in taking oil on credit basis without actual delivery of the oil and the said oil was sold to different customers and sale proceeds were usurped by the accused. As per allegations, Ranjit Singh took oil from 18.05.2020 to 18.06.2020 in a sum of Rs.4,99,000/-. Balwinder Singh took oil from the petrol pump from 08.05.2020 to 28.06.2020 in a sum of

Rs.5,29,000/-. The cheque dated 24.06.2020 in a sum of Rs.5,50,000/- was dishonoured by the bank. Accused took oil on the pretext that they were involved in uprooting the beetroot by machine and for that process, oil was consumed.

During course of investigation, suspicion arose with regard to true identity of Balwinder Singh and Ranjit Singh. At one point of time, their names were found to be Bachittar Singh and Butta Singh. After recording these facts in the order dated 25.05.2021, the matter was again taken up on 27.05.2021. Owing to the arguments raised by learned counsel for the petitioner(s) that Buta Singh has nothing to do with Nirmal Singh and Buta Singh is a distinct person and he is not Ranjit Singh even in the forged documents, that is how, record of CRM-M No.14799 of 2021 was ordered to be added.

Vide order dated 27.05.2021 passed in CRM-M No.20773 of 2021, interim anticipatory bail was granted to the petitioner. On 07.04.2021, interim anticipatory bail was granted to the petitioner in CRM-M No.13541 of 2021.

In view of controversy hereinabove narrated, it would be debatable as to the real identity of the accused Balwinder Singh and Ranjit Singh.

Learned counsel for the petitioners submit that the petitioners have joined the investigation in compliance of the

aforesaid orders.

Learned State counsel on instructions from ASI Tarsem Singh submits that the petitioners have joined the investigation and they are not required for further investigation in the case.

In view of statement made by learned State counsel, the interim anticipatory bail granted in favour of the petitioners are made absolute. Petitioners shall keep on joining the investigation as and when required to do so and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Both the petitions stand disposed of.

23.09.2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No