

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

CRM-M-30691 of 2020

DATE OF DECISION :- January 13, 2021

Balkaran Singh @ Baaru

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. N.K. Verma, Advocate for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

The case has been taken up through Video Conferencing.

This petition for pre-arrest bail has been filed by petitioner Balkaran Singh @ Baaru, aged about 55 years, son of Bant Singh @ Mehar Singh, resident of Village Kaleke, District Moga, an accused in F.I.R. No. 300 dated 20.8.2020 under Sections 419, 420 IPC registered at Police Station City Faridkot.

Briefly stated the prosecution story is that petitioner had been serving as a Home Guard volunteer at Police Station Baghapurana, District Moga under the name of Balakaran Singh son of Balwant Singh by using certificate of another person having particulars of Balakaran Singh son of Balwant Singh. On receipt of complaint, an enquiry into the matter was conducted and then F.I.R was lodged. Apprehending his arrest he had approached the Court of Sessions at Faridkot by moving an application for grant of pre-arrest bail. As such, the application which was assigned to Additional Sessions Judge, Faridkot was, however, dismissed vide order dated 18.9.2020. Thereafter he has approached this Court craving for grant of similar relief. When the petition came up for hearing on 18.11.2020 noticing the contention of learned counsel for the petitioner that the petitioner has

been dismissed from service after filing of the F.I.R, though had rendered 28 years of service, the petitioner was directed to join the investigation by granting him interim bail. The petitioner has since joined the investigation and has handed over the certificates to the investigating officer. Learned State counsel has stated so on instructions from ASI Karamjit Singh further adding that the custodial interrogation of the petitioner is not required.

Under such circumstances, the interim bail granted to the petitioner on 18.11.2020 is made absolute, subject to the following conditions :-

- (i) He shall join the investigation as and when so directed.
- (ii) He shall appear in the Court on each and every date of hearing.
- (iii) He shall not give any threat or intimidation to the prosecution witnesses.
- (iv) He shall not leave India without prior permission of the Court.
- (v) He shall surrender his Passport before the Investigating Officer and if he is not having Passport then shall file the affidavit in that regard.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

January 13, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No