

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.42864 of 2021
Date of Decision: December 03, 2021

Baljeet Singh @ Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Amaninder Singh Sekhon, Advocate,
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.62 dated 19.03.2021, under Sections 420 and 120-B IPC, 1860, registered at Police Station, City Faridkot, District Faridkot, who is in custody since his arrest on 25.08.2021.

The contents of the FIR, as noticed by the Additional Sessions Judge, Faridkot in his order dated 30.09.2021 while dismissing the bail application of the petitioner, are as under:-

“Perusal of the record reveals that complainant Amanpreet Arora, suffered a statement before the police that he is running a shop of electric articles and ready-made garments at village Nawan Killa and Rupinder Singh used to come to his shop in connection with his business. State Vs. Baljit Singh @ Gurmeet Singh 3 Rupinder Singh disclosed him that his brother in law Bittu Singh and his two friends are expert in doubling the money and he can also introduce him with them. About 20 days

ago, Rupinder Singh alongwith three persons namely Gurmej Singh, Baljeet Singh and Bittu Singh, came to his shop, on a Swift Car and told him about doubling the amount. He came in their talks and agreed to give money for doubling the same. At the instance of accused Gurmej Singh, firstly he gave Rs.Three lac to him, for purchasing articles to double the amount and then after borrowing amount from different people, he gave Rs.18,70,000/- to accused Gurmej Singh, Baljeet Singh and Bittu Singh, on 17.3.2021, who came to his house. They all shown him the articles and by sitting in the room of his house, they started process for making notes, but after some time, they said that the glass for preparing notes has been broken, so, they have to go to Nakodar for preparing notes. Then Gurmej Singh stayed at his house, whereas accused Baljeet Singh and Bittu Singh went to Nakodar and they took Rs.18,70,000/- with them. On 18.3.2021, at about 9:00 AM, Gurmej Singh received a phone call from the his companions, who called them towards village Tehna. On this, he and his friend Kapil Sethi alongwith Gurmej Singh went to Tehna, in his Car and while they were waiting for the said persons near village Tehna, Gurmej Singh tried to slip away, on which apprehension came in his mind that Gurmej Singh, Baljeet Singh, Bittu Singh and Rupinder Singh, in connivance with each other, have cheated him. So, they apprehended Gurmej Singh and came to record statement with the police. On the basis of said statement of complainant, FIR was registered against accused Gurmej Singh, Baljeet Singh, Bittu State Vs. Baljit Singh @ Gurmeet Singh 4 Singh and Rupinder Singh, for offence under Sections 420,120-B IPC.”

Learned counsel for the petitioner has argued that the offences are triable by Magistrate and his co-accused, namely, Gurmej Singh has already been released on regular bail. According to him, the investigation is also complete, therefore, the petitioner also deserves the similar concession.

The above aspect is not disputed by the learned State counsel, who, on instructions from ASI Jaijeet Singh, states that the final report was filed on 22.10.2021 and the charges are yet to be framed.

After hearing the learned counsel for the parties, considering the fact that similarly situated co-accused of the petitioner has already been released on regular bail and also the fact that the offences are triable by Magistrate, this court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose. Further, the prosecution is yet to examine its witnesses and it may take considerable time to conclude the trial.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Faridkot.

December 03, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No