

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48177-2021 (O&M)

Date of Decision: December 13, 2021

RAJAT KUMAR @ RAJA @ MADAAN @ MOTA

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. G.S. Sirphikhi, Advocate
for the petitioner.

Mr. Sandeep Kumar, Dy. AG, Punjab.

LISA GILL, J.

Petitioner seeks concession of bail pending trial in FIR No.88 dated 11.05.2021 under Sections 420, 473, 379, 120-B of IPC and Section 21 of NDPS Act, 1985, registered at Police Station City Dehlon, District Ludhiana (Punjab). Offence punishable under Section 21 of NDPS Act, it is stated, stands deleted.

Learned counsel for the petitioner submits that petitioner is identically situated as the co-accused Gaurav Sharma and Rakesh Kumar @ Bhasin, who have been afforded the concession of bail pending trial in the abovesaid FIR, on 08.10.2021 in CRM-M-31635-2021 and CRM-M-34425-2021. Petitioner, it is submitted, was detained on the basis of secret information to the effect that petitioner alongwith other co-accused have cheated a number of persons of crores of rupees with the lure of benefits

from public and political figures. Offence punishable under Section 21 of NDPS Act, it is stated, has been deleted. It is submitted that the petitioner has been falsely implicated in the present FIR as he was earlier wrongly involved in one FIR No.114 dated 09.08.2019 under Sections 21/22/61/85 of NDPS Act, 1985 and Section 474 IPC, registered at Police Station Ranjit Avenue, District Amritsar (Punjab), in which petitioner is on bail. It is, thus, prayed that this petition be allowed.

Heard learned counsel for the parties.

Learned counsel for the State, on instructions from S.I. Jaswinder Singh, P.S. Dehlon, verifies that the offence punishable under Section 21 of NDPS Act stands deleted and challan under Sections 420, 473, 379, 120-B of IPC stands presented.

There is no allegation that the petitioner is likely to abscond or influence witnesses in case he is released on bail. No recovery has to be effected from the petitioner. Trial in this case is not likely to be concluded in the near future. Moreover, similarly situated co-accused have been granted the benefit of bail pending trial. No useful purpose would be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. Petitioner be released on bail pending trial, subject to furnishing requisite bail bonds and surety to satisfaction of the learned Trial Court/Duty Magistrate concerned.

13.12.2021

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No