

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

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**CRM-M No.43303-2020
Date of decision:22.04.2021**

Gurmeet Singh @ Bittu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. K.B.Raheja, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. A.G. Punjab.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

This petition has been filed under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.243, dated 24.10.2020 registered under Sections 170, 171, 420, 419 of IPC (Section 467, 468, 471, 201 of IPC were added later on) at Police Station City-1, Abohar, District Fazilka (Annexure P-1).

As per the version of the prosecution, FIR, Annexure P-1 has been lodged against the petitioner on the allegation that while impersonating as a police official, he has cheated the complainant by extracting Rs.8 Lacs from him on the assurance that he will get him

appointed as a police Constable.

Counsel for the petitioner submits that the petitioner has been falsely framed due to political rivalry in the village. He submits that the petitioner has clean antecedents and the offences alleged against him are triable by a Magistrate. He urges that wife of the petitioner has expired, he has married the sister of his deceased wife and he has three minor children to take care of. It is his submission that the investigation is complete, challan has been presented and the petitioner is no longer required for custodial interrogation. He submits that the petitioner, who is in incarceration since 24.10.2020, deserves to be enlarged on bail.

State counsel, upon instructions from ASI Krishan Lal has opposed the petition and submitted that recovery of police uniform, fake Identity Card has been effected from the petitioner, which is sufficient to establish the complicity of the petitioner in the crime. He has referred to the status report filed by way of affidavit of Deputy Superintendent of Police, CAW Fazilka, Addl. Charge Sub. Division Abohar, District Fazilka to submit that the challan has been presented on 17.12.2020 and there are total 18 prosecution witnesses but none has been examined.

I have considered the rival submissions of the parties.

Keeping in view the above facts and circumstances, period of incarceration of the petitioner, nature of allegations, gravity of offence and the fact that the trial is likely to take time to conclude, no purpose would be served by keeping the petitioner behind bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on

his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

22.04.2021

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No