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

CRM-M-2191-2022

Decided on: 4th March, 2022

Madan Lal

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vishal Sharma, Advocate for the petitioner.
Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 136, dated 24th August, 2020 under Sections 384, 420 IPC read with Section 34 IPC and Section 7 of the Prevention of Corruption Act, 1988 (added later on), registered at Police Station City Jalalabad, District Fazilka.

Brief facts are that a complaint was received that on 23rd August, 2020 that in the area of Police Station City Jalalabad, police officials in civil clothes laid a barricade, they stopped Sukhjinder Singh alongwith his friend Surjeet Singh. They extorted money by threatening that the complainant and his friend would be involved in an NDPS matter. The matter was investigated and on 24th August, 2020 Gursahib Singh and Madan Lal were arrested and Rs. 1,50,000/- alongwith Car of Gursahib Singh was recovered. There was a packet containing 518 grams suspicious substance in the recovered car, later on it was found that contents of packet were not contraband. Further, as per the case set up the packet was used to exert pressure for involving in NDPS case.

Learned counsel for the petitioner submits that

the petitioner is in custody since 24th August, 2021, investigation is complete and no recovery is to be made from the petitioner. It is further argued that the complainant in his deposition before the Court has not supported the case of the prosecution. He further relies upon the fact that co-accused Gursahib Singh and Gurdeep Singh were granted bail.

Learned State counsel opposes the prayer for grant of bail. He, on instructions, is not able to distinguish the case of the petitioner vis-a-vis co-accused so far as grant of bail is concerned.

Without making comment on the merits of the case and the deposition made by the complainant, considering role attributed to the petitioner, custody period and the facts that conclusion of trial is likely to take time and co-accused were granted bail, the petitioner is granted bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

It is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

4th March, 2022

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |