

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

215

CRM-M-6957-2022(O&M)

Date of Decision: 22.03.2022

Alamjit Singh Mann

....Petitioner

Versus

U.T. Chandigarh

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sunil Chadha, Sr. Advocate with
Mr. Akshay Chadha, Advocate
Mr. Devyani Sharma, Advocate
Mr. Harlove Singh, Advocate
for the petitioner.

Mr. Rajiv Anand, A.P.P., U.T., Chandigarh.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of regular bail to the petitioner in case FIR No.06 dated 19.01.2022, under Sections 419 and 120-B IPC (Sections 467, 468, 471, 473, 120-B and 420 IPC added later on) registered at Police Station Sector-19, Chandigarh.

The FIR was lodged on the complaint of one Ajay Singh, Deputy Director, Directorate of Enforcement, Government of India addressed to Senior Superintendent of Police, Chandigarh. It was stated that it has come to their knowledge that two persons namely, Girish Tyagi @ Taranjit Singh and Jitender Kumar were impersonating as officers of the Enforcement Directorate, whereas no such persons were posted in the Directorate. It was apprehended that these persons by so impersonating may have cheated gullible persons.

Necessary action under relevant sections of law was sought.

It is the case of the prosecution that after registration of the FIR, Girish Tyagi @ Taranjit Singh was arrested on 19.01.2022. His mobile phone was recovered on 21.01.2022, which revealed that Girish Tyagi @ Taranjit Singh had been receiving messages from the mobile phone belonging to the petitioner. Some documents in PDF form containing complaints filed by the petitioner against Senior Police officers had been forwarded by the petitioner to Girish Tyagi @ Taranjit Singh. From the exchange of messages between the petitioner and Girish Tyagi @ Taranjit Singh it also came out that an amount of Rs.20,000/- had been transferred by the petitioner to Girish Tyagi @ Taranjit Singh.

The petitioner was arrested on 21.01.2022 from House No.1776 Nirwana Society, Sector-49 Chandigarh. At the time of his arrest hard copies of the complaints forwarded by the petitioner to Girish Tyagi @ Taranjit Singh were recovered. Identity cards of Girish Tyagi @ Taranjit Singh as an employee of the Central Bureau of Investigation and Enforcement Directorate, Ministry of Finance Government of India were also recovered. Besides various seals including a seal of Bank of Madura were recovered. Four mobile phones with different SIM numbers which were being used by the petitioner were also recovered. The said mobile phones have been sent to CFSL Chandigarh. It is also stated that the petitioner is involved in four other cases of cheating and forgery, which are as

under:

“(i) FIR No. 105/2019, under Section 420, 120-B IPC, registered at Police Station Zirakpur.

(ii) FIR No. 267/2020 under Sections 406, 120-B IPC and Section 82 of Registration Act, 1908, registered at Police Station Zirakpur.

(iii) FIR No. 308/2021, under Sections 406, 420, 120-B IPC, registered at Police Station Zirakpur.

(iv) FIR No. 37/1995, under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station, Sector -36 Chandigarh.”

As per the prosecution Girish Tyagi @ Taranjit Singh was in touch with various persons on their mobile phones and he impersonated himself as an officer of the Enforcement Directorate. In this regard statements of Mukesh Chauhan from New Delhi and Shamshudeen from Lucknow were recorded who affirmed that they have been in contact with Girish Tyagi @ Taranjit Singh taking him to be working in the Enforcement Directorate. Mukesh Chauhan also stated that he had transferred an amount of Rs.15,000/- into the account of Girish Tyagi @ Taranjit Singh.

Mr. Chadha, Ld. Senior counsel for the petitioner has contended that the petitioner has not been named in the FIR. He has been implicated only on the basis of a disclosure statement of co-accused namely, Girish Tyagi @ Taranjit Singh. Even as per the prosecution the petitioner had only forwarded to Girish Tyagi @

Taranjit Singh the complaints that the petitioner had earlier submitted against Senior police officers alleging their involvement in land grabbing etc. various land deals. These complaints had already been sent by the petitioner to the competent authorities in Punjab as also Union of India for taking action against the named police officials. He states that the petitioner is a social worker. For the last 25 years he has been cremating unclaimed bodies in Punjab and Haryana. During the period of COVID-19 he has cremated number of unclaimed bodies. In recognition of his services the petitioner has been conferred various rewards including one by the State of Punjab. He explained that Rs.20,000/- was transferred into the account of Girish Tyagi @ Taranjit Singh when Girish Tyagi @ Taranjit Singh was admitted in ICU and he was in urgent need of money for his treatment.

He states that challan in the present case has been presented under Sections 419, 420, 471, 473, 120-B IPC and Section 66-D of the Information Technology Act.

Learned counsel for U.T. Chandigarh has opposed the prayer for grant of bail to the petitioner by contending that the report from the CFSL has not yet been received. The CFSL report may reveal many other persons that the petitioner and Girish Tyagi @ Taranjit Singh had been in touch with. It is apprehended that the petitioner will tamper with the evidence.

In view of the material against the petitioner at this stage

the continued detention of the petitioner would not serve any useful purpose.

Accordingly, without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Alamjit Singh Mann is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

[HARINDER SINGH SIDHU]
JUDGE

March 22, 2022
rashmi

Whether speaking/reasoned	yes
Whether reportable?	yes/no