

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-8615-2022

DATE OF DECISION: MARCH 25, 2022

GURDEEP SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. M.S. BHATTI, ADVOCATE FOR THE PETITIONER.
MR. A.S. GILL, 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.141 dated 11.9.2018, under section 406, 420 IPC, Police Station Fatehgarh Sahib, District Fatehgarh Sahib, who is in custody since his arrest on 26.8.2021.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, Fatehgarh Sahib, in order dated 21.1.2022, are as under:-

“I have considered the rival submissions and after going through the record, it has transpired that instant FIR was registered on the application of one Gurpreet Singh that he is agriculturist and he was having good relations with accused persons. It is further mentioned in the application that in the month of January 2018, accused Gurdeep Singh called complainant Gurpreet Singh that post of drivers are advertised in the Hon'ble High Court and if complainant wants to get his son recruited, then Gurdeep Singh can help him. Thereafter, Gurdeep Singh and his father Parminder Singh, accused, called complainant at Fatehgarh Sahib and then Gurdeep Singh disclosed him

that he is working as driver in the Hon'ble High Court with Hon'ble Justice Harinder Singh Sidhu and he can get job done for the son of complainant for Rs.4,50,000/-. They assured the complainant that if job is not done, then they will return the amount. The talk took place in the presence of one Sarabjit Singh. Gurdeep Singh and Parminder Singh then demanded educational certificates, 2 passport size Balwinder Kumar, Additional Sessions Judge, Fatehgarh Sahib. UID#PB0160 3 photographs of sons of complainant, which was handed over to them and at that time complainant gave Rs.75,000/- to them on 09.01.2018.

It is further mentioned in the application that in the month of February first week, accused Parminder Singh also demanded remaining amount in the name of Judge and thereafter, complainant gave Rs.50,000/- to them through accused Kulvir Kaur, daughter-in-law of Parminder Singh. Thereafter, complainant also gave one cheque of Rs.1,50,000/- to Gurdeep Singh and then also gave another cheque of Rs.1,50,000/- to them and thus, accused persons took Rs.4,25,000/- in total from complainant, but thereafter accused did not fulfill their promise and they kept putting off the matter. Then complainant alongwith Sarabjit Singh approached accused persons, who gave cheque of Rs.3 lacs, but it was dishonoured and complainant came to know that accused persons have already cheated many persons by using such pretexts and FIRs are pending against them.

After receiving this application, police machinery swung into action and instant FIR was registered under Sections 406/420 IPC against accused.”

Learned counsel for the petitioner has argued that the

investigation in the case is complete and the charges have been framed. He

further submits that co-accused of the petitioner, namely, Kulvir Kaur has already been released on regular bail by this Court on 28.10.2021, passed in CRM-M-43843-2021. He prays for bail.

On the other hand, learned State counsel assisted by ASI Darshan Singh has opposed the aforesaid prayer, however, he has not disputed that charges have also been framed and co-accused of the petitioner has already been released on regular bail as well.

Considering the above background, the custody of the petitioner, and the fact that charges have been framed and the co-accused of the petitioner has already been released on regular bail, further detention of the petitioner may not be necessary for any useful purpose, as the trial would take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

March 25, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No