

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

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CRM-M-22169-2021

Date of Decision : 10.03.2022

TIRSWAKEEL SINGH

...Petitioner

versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vishal Sharma, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J. (ORAL)

This petition under Section 439 of the Code of Criminal Procedure is filed seeking regular bail in case FIR No.38 dated 16.02.2021 under Sections 384 and 120-B IPC and Section 7 of the Prevention of Corruption Act, registered at Police Station City Jalalabad, District Fazilka.

FIR was lodged at the instance of Nanak Ram @ Sonu. As per the contents, the complainant was addicted to drugs but was rehabilitated. He was running a meat shop. As per allegations accused Chiman Lal @ Kaka, Dilawar Singh and Sukha Singh son of Dilawar Singh used to hide tablets under the tarpaulins used for covering the meat. On 28.06.2020, Head Constable Tirswakeel Singh, ASI Madan Lal and two more Police Officials came to the shop and a lady was also accompanying them. The Police officials abducted Jaswinder Singh and Roop Chand and gave them beatings in the vehicle. They were taken to a house, given beatings and made them to confess that they were selling tablets. The complainant refused to give such statements and rather said that he himself consumes tablets and does not sell the same. He was beaten and his clothes were torn. An amount of

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Rs. 5 lakhs was demanded by accused for not implicating in NDPS case and there were allegations of payments having been made. The complaint was filed and after inquiry FIR was registered.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.02.2021. The investigation is complete. The co-accused ASI Gurdeep Singh was granted bail by the Sessions Court on 18.01.2022, parity is claimed. He further submits that six accused named in the complaint were found innocent during the inquiry.

Learned State counsel on instructions though opposes the bail but is not in a position to distinguish the case of the petitioner viz. a. viz. ASI Gurdeep Singh so far as grant of bail is concerned.

Without commenting upon the merits of the case, considering that the case of the petitioner is at parity with the co-accused, investigation is complete, no recovery is to be made and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10th March 2022
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No