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

CRM-M No.20812 of 2022 (O&M)

Date of decision: 19.05.2022

Surinder Pal Sharma @ Gaggi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amarjit Singh Ahluwalia, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.79 dated 30.03.2022, for offence punishable under Sections 420, 465, 467, 468, 471 of the Indian Penal Code, 1860 (in short 'IPC') and DDR No.35 dated 31.03.2022 registered at Police Station Civil Lines, District Bathinda.

Counsel for the petitioner has argued that the FIR was registered on receiving an information that Gurpreet Singh and Jai Vir Khatri and some more persons have formed a gang and have opened an office for providing loan to the Army personnels by preparing fake documents. Thereafter, the aforesaid 02 persons were arrested and number of fake documents were recovered. The name of the petitioner surfaced in the disclosure statement of one of the co-accused and by entering GD/DDR No.35, the petitioner was also arrested.

Counsel for the petitioner has further submitted that since the petitioner was nominated later on, on the basis of the disclosure statement of one of the co-accused, he may be granted the concession of bail. It is further submitted that the petitioner is in custody for the last 01 month and 16 days and therefore, his custodial interrogation is no more required.

Counsel for the State has, however, submitted that after the arrest of the main accused, number of fake documents like I.D. cards, stamps were recovered and even, after the arrest of the present petitioner, some stamps of higher Army Officers were also recovered, which were used for preparation of the fake documents.

Counsel for the State has further submitted that the investigation is still going on and some other persons are nominated in the case and their arrest is awaited.

After hearing the counsel for the parties, considering the fact that it is not a simple case where the petitioner was nominated on the basis of the disclosure statement and rather after the arrest of the petitioner, certain recoveries have been effected, which shows that the petitioner was actively involved in commission of crime.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

19.05.2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No