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

**CRM-M-26578-2021
Date of Decision: 05.05.2022**

Jagdeep Singh Petitioner
Versus

State of Punjab Respondent

CRM-M-29954-2021

Simarjit Singh alias Simar Jit Singh Dhadha Petitioner

Versus

State of Punjab Respondent

CRM-M-29999-2021 (O&M)

Gurmeet Singh @ Goldy Petitioner
Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Veneet Sharma, Advocate,
for the petitioner in CRM-M-26578-2021.

Mr. Dushyant Rana, Advocate,
for the petitioner in CRM-M-29954-2021.

Mr. Amandeep Singh, Advocate,
for the petitioner in CRM-M-29999-2021.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

This order will dispose of the aforesaid three bail petitions filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners. All the three petitioners are accused in the same FIR

bearing No.93 dated 23.06.2019, under Sections 419, 420, 465, 467, 468, 471 & 120-B of the IPC, registered at Police Station Cantonment, District Amritsar, and therefore, all the three cases are taken up together with the consent of the learned counsel for the parties for final disposal.

It has been submitted by Mr. Veneet Sharma, learned counsel for the petitioner in CRM-M-26578-2021, Mr. Vaibhav Narang, learned counsel for the petitioner in CRM-M-29954-2021 and Mr. Amandeep Singh, learned counsel for the petitioner in CRM-M-29999-2021 that all the three petitioners are not named in the FIR and they have been nominated thereafter and in fact they are not involved in the present offence. It has been further submitted that as per the allegations, a loan was sanctioned in the name of one Bawa Singh, who is a co-accused in the present case, by the Bank on the basis of some forged documents. So far as the petitioner-Jagdeep Singh is concerned, the role assigned to him was that he had facilitated the offence but aforesaid petitioner-Jagdeep Singh is neither a borrower nor a guarantor nor a witness to any document. So far as the role of the petitioner-Gurmeet Singh @ Goldy is concerned, he had allegedly introduced the borrower to the bank and he is also neither a borrower nor a guarantor nor a witness and has got nothing to do with the loan. So far as the third petitioner- Simarjit Singh alias Simar Jit Singh Dhadha is concerned, he is only a Manager of the bank and the loan although was routed at one stage through him but the loan was sanctioned on the basis of a valuation report made by the legal panel and therefore, the petitioner-Simarjit Singh alias Simar Jit Singh Dhadha has also prayed for the grant of regular bail.

Learned counsel further submitted that two-three more FIRs were also registered pertaining to the different persons and the present petitioners were roped in those cases only due to the aforesaid reasons and on the basis of the statement made by the co-accused and in fact they had no role to play and had been falsely implicated. Learned counsel also referred to an order passed by this Court in which the present petitioners, who were the petitioners in that case also had been granted regular bail by this Court on 22.11.2021 in CRM-M-30959-2021, CRM-M-23398-2021 and CRM-M-23884-2021. They further submitted that all the three petitioners are facing incarceration for more than one year and the entire case is based upon the documentary evidence and no recovery is to be effected from the petitioners.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has submitted that it is correct that the petitioners are in custody for more than one year and it is also correct that the investigation of the case has been completed and no recovery is to be effected from the petitioners. He further submitted that it is also true that the names of the petitioners were nominated later on on the basis of disclosure statement and it is also true that the petitioners were not direct beneficiaries of the loan and the direct beneficiaries in the present case was one co-accused, namely, Bawa Singh. He has also not disputed that in the similar set of allegations in the other FIR all the three petitioners had been granted bail by this Court on 22.11.2021.

I have heard the learned counsel for the parties.

All the three petitioners are in custody for more than one year.

The investigation of the case has been completed and the entire case is based upon the documentary evidence and the present case is triable by the Magistrate. All the three petitioners have been extended the benefit of regular bail in a similar set of allegations by this Court on 22.11.2021 in CRM-M-30959-2021, CRM-M-23398-2021 and CRM-M-23884-2021. Apart from the same, it is not the case of the State that in case the petitioners are released on regular bail then they may abscond or flee from justice or may influence the witness, therefore, considering the totality of the circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioners.

Consequently, the present petition is allowed and the petitioners are ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

05.05.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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