

(226) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30621-2022

Date of Decision: 04.08.2022

Tejinder Singh

... Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Yashwant Singh Rathore, Addl. P.P. U.T. Chandigarh
assisted by Mr. Sudha Singh, Advocate and
Mr. Yuvraj Singh Rathore.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in case FIR No.32 dated 22.04.2022 under Sections 120-B, 170, 171, 419, 464, 465, 466, 468, 474 IPC with Police Station Sector-49 (Annexure P-1).

2. The brief facts of the case are that the Investigating Agency received information that one boy Tejinder Singh and one lady namely, Kanchan were impersonating as employees of the Chandigarh Police and would wear the uniform of Police officials. They played fraud with innocent persons by taking money on the pretext of providing them jobs in the Chandigarh Police/Chandigarh Home Guards. If a barricading was done at Sector-49, Chandigarh, the accused could be arrested. Based on the said complaint, a barricading was done and one Toyota Corola car came to the spot and was signaled to stop. The two passengers of the car were asked to alight. The said persons disclosed their name as Tejinder Singh (the present

petitioner) and Kanchan. Both of them were wearing uniforms of Chandigarh Police. On being asked as to where they were posted, they got perplexed and started making excuses. On their search fake ID cards etc. were recovered. Based on the aforementioned allegations and the subsequent apprehending of the accused, the present FIR came to be registered.

3. The learned counsel for the petitioner *inter alia* contends that the investigation stands completed after the police remand. The case is triable by the Court of a Magistrate. The petitioner has been in custody since 22.04.2022 and none of the prosecution witnesses have been examined so far. The further incarceration of the petitioner is not required. He thus, prays for the grant of concession of regular bail.

4. On the other hand, the learned State counsel vehemently opposes the bail application by stating that the petitioner and his co-accused have masqueraded as employees of the Chandigarh Police and have cheated persons by promising them jobs in the Chandigarh Police/Home Guard Department. The nature of the allegations against the petitioner and his co-accused do not entitle him to the grant of bail, even though the investigation stands completed.

5. I have heard the learned counsel for both the parties at length.

6. Admittedly, the petitioner has been in custody since 22.04.2022. The report under Section 173(2) Cr.P.C. stands filed and none of the prosecution witnesses cited in the list of witnesses have been examined till date. The case is otherwise triable by a Court of Magistrate. Therefore, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.

(JASJIT SINGH BEDI)
JUDGE

04.08.2022

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No