

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-57160-2022

DATE OF DECISION: DECEMBER 13, 2022

ROBIN SINGH @ ROBIN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MR. G.P.S. GHUMAN, ADVOCATE FOR THE PETITIONER.
MR. GURDARSHAN SINGH SIDHU, AAG, PUNJAB.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.0419 dated 16.10.2022, under Section 420, 120-B IPC, Police Station Division-7, Commissionerate Ludhiana.

As per the allegations levelled in the FIR, on 16.10.2022, a secret information was received that the petitioner alongwith his co-accused used to cheat people under the pretext of getting them recruited in Punjab Police and other Departments and as he was coming to Ludhiana, the raid was conducted and the petitioner was nabbed and from his possession, an amount of ₹4,02,000/- alongwith photocopies of Certificates and copies of Admit Cards for recruitment in Punjab Police were recovered.

Learned counsel for the petitioner has argued that a false case has been planted upon the petitioner as the same has been registered on the basis of secret information by the Police itself. He submits that the petitioner is a member of a disciplined force and is serving as Constable in Delhi Police. He further submits that the petitioner is in custody since his

arrest on 16.10.2022 and the investigation of the case is complete and the challan stands filed on 7.12.2022. As the trial of the case is yet to commence, therefore, he prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Randhir Singh has opposed the aforesaid prayer and filed his custody certificate. However, he has not disputed that the investigation of the case is complete and the challan stands filed and in total, 12 prosecution witnesses are to be examined. He further submits that as per the custody certificate, the petitioner is not involved in any other case of similar nature.

Considering the above background, and the fact that challan has already been filed and the trial is yet to commence, further detention of the petitioner may not be necessary for any useful purpose. Further, the witnesses are the police officials and at present, there does not seem any possibility of their being won-over.

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.

December 13, 2022
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No