

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

**CRM-M-10491-2023
Date of Decision: 24.05.2023**

Manjit Singh @ Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Ms. Lovish Rattan, Advocate
for the petitioner.

Mr. Harjinder Singh Sidhu, AAG, Punjab.

HARSH BUNGER J. (ORAL)

1. Petitioner (Manjit Singh @ Sonu) has filed the present petition under Section 439 of the Code of Criminal Procedure seeking grant of regular bail in case bearing FIR No.96 dated 18.08.2022, under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, at Police Station Navi Baradari, District Jalandhar.

2. Status report by way of affidavit dated 01.05.2023 of Mr. Nirmal Singh, P.P.S., Assistant Commissioner of Police, Central Jalandhar, Jalandhar, has been filed on behalf of State of Punjab, which is already on record.

3. The present FIR was registered on the basis of a secret information received by the Assistant Sub Inspector Jagdish Singh to the

effect that one Manjit Singh @ Sonu and Jatinder Singh @ Kaka used to give sureties in the Courts on the basis of forged documents and they have prepared forged documents to stand as surety for Rita Minhas and on that day (18.08.2022), they were present near Kachehari Chowk, in the area of Chambers of lawyers and if the place is raided then these two persons can be apprehended with fake documents/identity cards etc. Finding the information reliable, a *ruqa* was sent to the police station for registration of FIR and a raid was conducted at the nominated place. After seeing the police party, accused tried to flee away but they were apprehended on the spot. The apprehended persons disclosed their names as Manjit Singh @ Sonu (petitioner) and Jatinder Singh @ Kaka.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR No.96 dated 18.08.2022 on the basis of a secret information only. It is further submitted that neither any money nor any mobile phone has been recovered from the petitioner. Learned counsel submits that the petitioner has no role to play in the alleged occurrence. It is stated that none of the documents allegedly recovered from petitioner has been determined to be fake and there is nothing to show that the petitioner ever appeared before any Court or gave wrong surety in any Court.

5. Learned counsel for the petitioner submits that the petitioner applied for grant of regular bail before the Court of Additional Sessions Judge, Amritsar, which was wrongly declined vide order dated 10.11.2022 (Annexure P-2). It is further submitted that co-accused, namely Charanjit Singh and Jatinder Singh @ Kaka, have already been granted the concession of bail. It is stated that the petitioner is in custody since 18.08.2022;

investigation in the case is complete, challan stands presented on 25.11.2022 and even charges have been framed, hence, trial is likely to take some time to conclude. It is submitted that there is no other case against the petitioner. Learned counsel for the petitioner contends that the petitioner is ready to abide by all the conditions as may be imposed by this Court or by the trial Court; accordingly prayer for grant of regular bail is made.

6. Learned State counsel opposes the plea of petitioner for grant of regular bail on the ground of seriousness of the offences. However, it is fairly submitted that no case is pending against the petitioner. It is conceded that the petitioner is in custody in present case since 18.08.2022; investigation in this case is complete, challan stands presented and even charges have been framed. It is stated that there are fourteen prosecution witnesses in the present case, however, none has been examined, by now. It is not disputed that that co-accused, namely Charanjit Singh and Jatinder Singh @ Kaka, have already been granted bail.

7. I have heard learned counsel for the parties and perused the paper book and status report.

8. In the instant case, petitioner has been in custody for more than nine months and there is no other case against the petitioner. Investigation in this case is complete, challan stands presented on 25.11.2022 and charges have also been framed. Trial in the case is likely to take long time to conclude and no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

9. Keeping in view the aforementioned circumstances, the instant petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial

Court/Illaq Magistrate/Duty Magistrate concerned. However, the concerned Station House Officer shall be informed about the release of petitioner and the petitioner shall inform the concerned Station House Officer about his address at which he intends to reside during the pendency of case/trial and any change in the address shall be communicated to the concerned Station House Officer, forthwith. The petitioner would also furnish his telephone number to the concerned Station House Officer. He would also furnish his undertaking to the effect that he will not indulge in any illegal activity. The petitioner shall also appear before the concerned Police Station/Station House Officer on first Monday of every month till the conclusion of trial.

10. In addition, the petitioner (or anyone on his behalf) shall prepare a Fixed Deposit Receipt (F.D.R.) in the sum of Rs.50,000/- and submit the same with the trial Court. The same would be liable to be forfeited as per law, in case the petitioner remains absent from trial without any sufficient cause.

11. Nothing expressed hereinabove shall be construed to be an observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for bail at this stage.

12. The petition is accordingly disposed of.

13. All pending application(s), if any, shall also stand closed.

24.05.2023*Apurva***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No