

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

CRM-M-16748-2023

Date of Decision:-21.04.2023

Deepak Singla.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. G.C. Shahpuri, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.228 dated 22.05.2022 under Sections 420, 406, 467, 468, 471 and 506 IPC registered at Police Station Sector 17, HUDA, Jagadhri, District Yamuna Nagar.

The brief facts of the case are that complainant submitted a complaint against 04 persons, namely, (1) Deepak Singla (petitioner) son of Sh. Pardeep, (2) Jayta Singla daughter of Pardeep, (3) Pardeep (since granted bail vide order dated 08.02.2023 passed in CRM-M-58384-2022) son of not known and (4) Kamlesh Rani wife of Sh. Pardeep. As per the allegations the accused were running an office under the name and style of M/s Singla Car Sale Purchase. They were in the business of selling vehicles to people by preparing false and fabricated documents and usurping money. Accused No.1 had obtained 4/5 Sim Cards and had duped people by making telephone calls claiming that he was a senior officer employed in the Central

Government or a Minister. The accused no.2 had prepared fake letter heads, joining letters, registration certificates of vehicles, Visas, passports and stamps in her laptop. While accused no.3 and 4 colluded with accused no.1 & 2. The case had been registered against them for making fake call to Deputy Commissioner, Yamuna Nagar impersonating the officer in a Central Government ministry. A case vide FIR No.400 dated 02.04.2019 stands registered. Accused no.1 had been challaned number of times for using red beacon. The accused no.1 had called him (complainant) to their house and showed him visas of people got issued by him. He was asked to deposit a sum of Rs.10 lacs for Canadian visa for his wife. Thereafter Rs.40 lacs was demanded for him (complainant) and his family. A sum of Rs.5 lacs was paid and, thereafter Rs.22 lacs were paid to the accused on different dates. In this way, Rs.27 lacs had been paid by him (complainant) to accused. On being repeatedly asked a fake Visa was sent to him (complainant) along with a fake embassy letter. On an inquiry he found that his family had not been issued any Visa for Canada and complainant for return of his money. Accused refused to do so.

Based on the aforementioned allegations, FIR came to be registered.

The counsel for the petitioner contends that the allegations levelled in the FIR are baseless. No specific role has been attributed to the petitioner. In fact he and his father Pardeep (since granted bail) were running a business of sale and purchase of cars. Two of the co-accused namely Jayta Singla and Kamlesh Rani had been exonerated while a report under Section 173(2) Cr.PC stands submitted against Deepak Singla, Pardeep Kumar and one Asish. In fact the present case was a counter blast of the case got registered by Deepak Singla (petitioner) against the

complainant and other accused vide Fir No.134 dated 03.04.2022 registered at P.S. Sector 17, HUDA, Jagadhri. In the three other cases registered against the petitioner, he has been granted the concession of bail vide order dated 04.06.2016 passed by Additional Sessions Judge, Yamuna Nagar at Jagadhri in case FIR No.682 dated 30.10.2015 under Sections 420, 506, 467, 468, 471 IPC P.S. City Jagadhri, order dated 03.03.2023 showing the petitioner on bail in case FIR No.400 dated 2.4.2019 under Sections 419, 420 IPC, P.S. City Jagadhri and in third case bearing FIR No.0227 dated 22.5.2022 under Sections 120-B, 406, 420, 467, 468, 471 & 506 IPC P.S. Sector 17, HUDA, Jagadhri, Yamuna Nagar the bail application of the petitioner is pending before a co-ordinate Bench of this Court for 25.04.2023.. Therefore, the petitioner was entitled to the grant of bail in the present case, more so, as the case is triable by the Court of Magistrate and his co-accused and father Pardeep has been granted the concession of bail.

The learned Counsel for the State on the other hand contends that petitioner is the main accused. Other cases stand registered against the petitioner. Therefore, his criminal antecedents do not entitle him to the grant of bail. He however, concedes that Pardeep has been granted bail and only 01 PW out of 14 Pws have been examined till date.

I have heard learned Counsel for the parties at length.

The veracity of the allegations against the petitioner shall be established during the course of trial. The petitioner is in custody since 29.09.2022. Only 01 out of the 14 prosecution witnesses had been examined so far. As such the Trial of the present is not likely to be concluded anytime soon. The petitioner is an accused in three other cases and in 02 of the said cases, he has been granted the concession of bail vide order dated 04.06.2016 passed by Additional Sessions Judge, Yamuna Nagar at Jagadhri

in case FIR No.682 dated 30.10.2015 under Sections 420, 506, 467, 468, 471 IPC P.S. City Jagadhari, order dated 03.03.2023 showing the petitioner on bail in case FIR No.400 dated 2.4.2019 under Sections 419, 420 IPC, P.S. City Jagadhari and in third case bearing FIR No.0227 dated 22.5.2022 under Sections 120-B, 406, 420, 467, 468, 471 & 506 IPC P.S. Sector 17, HUDA, Jagadhri, Yamuna Nagar bail application of the petitioner is pending before a co-ordinate Bench of this Court for 25.04.2023. The case is otherwise triable by the court of a Magistrate. As such his further incarceration is not required.

Thus, without commenting on the merits of the case, the petition is allowed and petitioner-**Deepak Singla** son of Sh. Pardeep Kumar is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

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 that he is not involved in any other crime other than the present case.

In addition, the petitioner (or any one on their behalf) shall prepare a FDR in the sum of Rs.3,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

The Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 21, 2023
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No