

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-40368-2022 (O&M)
Date of Decision:- 12.1.2023

Bhupinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sunil Chadha, Senior Advocate with
Ms. Taanvi Dhull, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks regular bail in a case registered vide FIR No.145, dated 06.08.2022, Police Station Sadar, Ludhiana, District Police Commissionerate, Ludhiana, under Sections 420, 170, 506 IPC (Section 419 IPC and Section 7-A of Prevention of Corruption Act added later on).
2. The gist of the FIR as reproduced in the petition reads as follows:

“Incharge Police Station Sadar, Ludhiana, today, I, Inspector Station House Officer along with ASI Amarjit Singh No. 10/LDH, ASI Gurmeet Singh 836/LDH Incharge Police Post Lalton and HC Parminder No. 816/LDH were present at Chowk Lalton Kalan. At that time, a secret informer came present and by taking me separately, he informed me that Bhupinder Singh son. of

Sukhdayak Singh, resident of Flat No. 1004, 10th Floor, Tower No. 1, Omax Flats, Ludhiana, who by claiming himself to be the retired Director of Health Department, New Delhi, with his experience, after receiving huge amounts from the businessman and general public by giving them assurance to get done their good bad works, make phone calls from his mobile nos. 98883-57755, 83608-67731 and 78372-46318 to different officers, Police Stations and Senior Officers of various other Departments, by exerting his influence by stating that he has influence in the Centre and in the names of the leaders of the Centre **makes attempt** to compel them to do work and is in the habit of usurping heavy amounts by cheating the people. In this manner, he blackmail people and officers and commits cheating with the people. After taking the money, in the event of the work not done, in case someone wants to take action, he threatens him to keep his mouth shut. He is doing these kind of acts for quite some time. In case, his calls details are looked into, the same can bring forth many cheatings and fraud. Information is believable. Thus, the said act of this person constitutes an offence under Sections 420, 170 and 506 of the IPC. After reducing ruqa in writing, the same is being sent to the police station for registration of case through HC Parminder Singh 816. After registering the case, its number be informed. I Insp. along with colleagues proceed to Omax Flats to find out accused Bhupinder Singh and to carry out investigation Sd/- Gurpreet Singh, Station House Officer, PS Sadar, Ludhiana. Dated 06.08.2022, Lalton Kalan Chowk. At 1.30 PM.”

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that apart from the secret information there is no other evidence with the prosecution and that no attempt whatsoever was ever made to lay any kind of trap to find out the truth. Learned counsel has further submitted that the petitioner is aged about 72 years and since challan already stands presented, his further detention will not serve any useful purpose.

4. Learned State counsel has however, opposed the petition on the ground that there are serious allegations against the petitioner and that the call details as collected during investigation would indicate that the petitioner had made calls to several IAS Officers which would clearly substantiate the allegations. Learned counsel has informed that the petitioner as on date has been behind bars for the last 5 months and that challan already stands presented. It has also been informed that the petitioner is not wanted in any other case.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards merits of the case, but having regard to the fact that the petitioner has been behind bars for a substantial period of 5 months and otherwise enjoys a clean record, the petition is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.1.2023

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No