

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM M-63281 of 2023
Date of Decision: 20.12.2023

Rahul Kumar ...Petitioner
Vs.
State of Punjab ...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.280 dated 22.09.2023 registered under Sections 406, 419, 420, 467, 468, 471 and 474 IPC and Sections 25, 27, 54 and 59 of Arms Act at Police Station City Kharar, District Mohali.

2. The FIR in the present case was registered on the basis of the secret information to the effect Sarabjit Singh Sandhu was using the flag of Chief Secretary, Haryana on his car and his car was also escorted by the pilot. He pretended himself to be a VIP and had also provided arms to his security persons and he used to make the fake documents. 60 fake passports, Rs.2,40,000/-, 99 grams of gold, pistol

and various other fake documents were recovered from his possession. It was also found that he had cheated innocent persons to the tune of Rs.11 crores. As per case of the prosecution, Sarabjit Singh Sandhu had opened bank accounts fraudulently in the names of different persons and the petitioner had helped him to commit the offence. With these main allegations, the FIR in the present case was registered against the petitioner.

3. Learned counsel for the petitioner contends that the petitioner was not named in the FIR. In fact, the petitioner was working as an employee with the main accused Sarabjit Singh Sandhu. In fact, Sarabjit Singh Sandhu used to send the petitioner for depositing and withdrawing the money from his accounts and the petitioner did not have any dealings with any of the victims. The petitioner was arrested in the present case on 26.09.2023 and is in custody for the last 03 months. Thus, further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

5. I have heard learned counsel for the parties and perused the record.

6. It is not in dispute that the petitioner is in custody for the last 03 months. Similarly placed co-accused Ravi Kumar Mishra has already been granted the concession of regular bail by this Court vide order dated 11.12.2023 (Annexure P-1) passed in CRM M-57791-2023.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

20.12.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No