



CRM-M-7692-2024

-1-

212

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

CRM-M-7692-2024

Date of Decision:- 21.10.2024

Kamal Deep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Harsh Manocha, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioner Kamal Deep Singh has filed petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 52 dated 30.03.2022 (Annexure P-5), under Sections 420, 419, 465, 467, 471, 120-B of IPC, 1860, registered at Police Station City Hoshiarpur, District Hoshiarpur.

2. As per the facts, present FIR was registered on the written complaint of Ms. Jatinder Kaur-11, Additional Sessions Judge, Hoshiarpur addressed to Station House Officer, Police Station City Hoshiarpur whereby Sodhi Ram, Harminder Singh, Joginder Singh impersonated to furnish surety bonds of accused Sodhi Ram in FIR No.231 dated 21.12.2020, under Section 22(B)-61-85 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Garhshankar whereas Gunjan wife of Sodhi Ram appeared as identifier of surety. It is pointed out that Sodhi Ram was granted bail vide order dated 03.06.2021 and on

**CRM-M-7692-2024****-2-**

09.06.2021 furnished bail bonds and surety bonds to the sum of Rs.1,00,000/-. Application was filed for furnishing bail bonds and surety bonds in which Harminder Singh stood as a surety of accused who was identified by Lambardar Joginder Singh and Gunjan. Jamabandi furnished by the surety was sent to the SDO(Civil) for verification and as per report received from Tehsildar bearing letter No.443/DK. dated 17.02.2022 it was mentioned that Harminder Singh stated that he never stood as a surety for accused Sodhi Ram. Identity card and Aadhar card of his father Joginder Singh were fake as his father Joginder Singh had expired on 26.03.2016. Aadhar card of Harminder Singh was also fake. Said Harminder Singh stated that he never met Sodhi Ram. Alleged surety Harminder Singh was identified through Joginder Singh, Lambardar of Village Baupur, District Hoshiarpur whereas said person was not Lambardar of the village at relevant time and fake identity card was produced. Alleged surety did not know second identifier Gunjan.

3. Learned counsel for petitioner pointed out that he was granted interim bail vide order dated 07.05.2024 and he has already joined the investigation. In fact present petitioner is the clerk of advocate. He had presented the papers before the Court as submitted by the concerned party. He had nothing to do with the surety or the identifier. He is still ready to join the investigation. Therefore, his anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. As per the status report, accused Sukhpal Singh and Vishal impersonated as Harminder Singh and Joginder

**CRM-M-7692-2024****-3-**

Singh and wife of accused Sodhi Ram namely Gunjan identified them. In fact fake bail bonds and surety bonds were presented in the Court for the release of Sodhi Ram. It is further pointed out that after completion of investigation, challan is presented against Sodhi Ram, Vishal, Sukhpal, Gunjan and Neeraj. Chargesheet has been framed and case is pending for prosecution evidence. After completion of investigation qua present petitioner, supplementary challan will be presented. However, it is conceded that present petitioner has joined the investigation.

5. I have considered the aforesaid facts. Present petitioner is Clerk of an Advocate who presented application for furnishing bail bonds and surety bonds. Investigation is already complete qua other co-accused, challan is already presented and the case is pending for prosecution evidence. Present petitioner has also joined the investigation and he is not required for any other purpose. No purpose would be served by sending him behind the bars. Therefore, without commenting on the merits of the case, anticipatory bail petition filed by petitioner-Kamal Deep Singh is allowed and *ad interim* bail already granted vide order dated 07.05.2024 stands confirmed subject to the conditions specified under Section 438 (2) Cr.P.C.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

21.10.2024

Sunil Devi

(AMARJOT BHATTI)
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No