



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M No.10618 of 2024

Sukhchain Singh @ Sukh Doctor
... Petitioner
Versus
State of Punjab
... Respondent

2. CRM-M No.11950 of 2024

Kewal Singh
... Petitioner
Versus
State of Punjab
... Respondent

Date of decision: 16th May, 2024

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gagandeep S. Bajwa, Advocate for the petitioners.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners in both the petitions detailed hereinabove are seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.127 dated 15.06.2023 under Sections 419, 420, 467, 468, 471, 120-B of the IPC registered at Police Station Civil Lines, District Amritsar.
2. In compliance of the earlier order of this Court, learned State counsel has filed short affidavit of Vijay Kumar PPS, ACP, EOW & Cyber Crime, Amritsar today in the Court, which is taken on record



subject to all just exceptions and a copy thereof supplied to learned counsel opposite.

3. Learned counsel for the petitioners submits that in a case of Magisterial trial they have been in custody since 19.12.2023; investigation is complete as challan stands presented and charges framed. It has been further submitted that a false and fabricated case has been planted upon the petitioners by alleging that they both had connived with the prime accused Sudarshan Singh (alleged impersonator and the husband of the complainant) and thereafter, prepared his forged and fabricated Power of Attorney in favour of co-accused Ramandeep Kaur. It has been submitted that even as per the allegations levelled, co-accused Ramandeep Kaur was the prime beneficiary of the alleged crime. Learned counsel further submits that as many as 17 prosecution witnesses have been cited and hence, the likelihood of the trial concluding in the near future is remote, thus further incarceration of the petitioners would serve no useful purpose.

4. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has drawn the attention of this Court to paragraph 6 of the affidavit filed today, wherein the role of both the petitioners has been detailed. He, on instructions from ASI Palwinder Singh, submits that petitioner Sukhchain Singh @ Sukh Doctor was a Property Dealer and had witnessed the agreement to sell



in favour of co-accused petitioner Kewal Singh. It has also been submitted that the original agreement to sell was also recovered from the house of none other than petitioner Kewal Singh and a photocopy of the same was thereafter recovered from the house of petitioner Sukhchain Singh. Learned State counsel, however, has not disputed the submissions of the counsel opposite that challan stands presented and even charges framed.

5. On a pointed query put to the learned State counsel, he on further instructions, has not disputed that the petitioners are not involved in any other criminal case much less a case of similar nature.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. In a case of Magisterial trial, the petitioners have now been in custody for almost five months, having been arrested on 19.12.2023; possibility of the trial concluding in the near future seems unlikely as 17 witnesses have been cited by the prosecution and the evidence is yet to commence. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioners. Both the petitions as such are allowed and the petitioners are admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed

hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 16, 2024
rps

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