



CRM-M-31981-2024 and other connected matters

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

Date of Decision:- 28.10.2024

(1)

CRM-M-31981-2024

Joginder Singh alias Joginder Thakur

...Petitioner

Vs.

State of Punjab

...Respondent

(2)

CRM-M-37928-2024

Danial Masih alias Daniel Masih

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. S.K. Chaudhary, Advocate
for the petitioner in CRM-M-31981-2024.

Mr. Kanishk Swaroop, Advocate
for the petitioner in CRM-M-37928-2024.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. O.S. Batalvi, Advocate
for the complainant.

AMARJOT BHATTI, J.

1. Both petitions, CRM-M-31981-2024 and CRM-M-37928-2024 as referred above arising out of common FIR are taken up together with consent of learned counsel for parties.

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2. Petitioners – Joginder Singh alias Joginder Thakur and Danial Masih alias Daniel Masih have filed separate petitions under Section 439 Cr.P.C. (under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023) read for grant of regular bail in FIR No. 0012 dated 24.01.2022 under Sections 420, 419, 465, 466, 467, 468, 471 and 120-B of IPC, registered at Police Station Sujampur, District Pathankot.

3. As per the facts of case, FIR has been registered on the written complaint of Shweta Mahajan wife of Suresh Mahajan. It is alleged that Shweta Mahajan had given Power of Attorney in favour of her husband Suresh Mahajan, who is doing transport business. His wife Shweta Mahajan was owner of land bearing Khasra No. 2245 (27-6) i.e. 17.5 marlas, situated at village Mamoon, District Pathankot. Manoj Kumar sold this property to Neelam Kumari in which Renu Sharma impersonated as Shweta Mahajan. Manoj Kumar through Neelam Kumari further sold this property to Anita Raj. Complainant named Raman Kumar, Rajni Sharma, Rajinder Kumar Lambardar, Vishnu, Joginder Singh alias Joginder Thakur, Parbodh Kumar and Danial Masih are accused, who in collusion with each other sold property of his wife Shweta Mahajan. Matter was inquired and ultimately, present FIR has been registered.

4. Learned counsel for petitioners argued that Danial Masih alias Daniel Masih is Registry Clerk, whereas, Joginder Singh alias Joginder Thakur is scribe, who are falsely implicated in this case. Petitioner Danial Masih alias Daniel Masih was arrested on 02.04.2024, whereas petitioner Joginder Singh alias Joginder Thakur himself surrendered before the Court

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at Pathankot. They have already joined investigation. Whereas, other co-accused have been granted bail. They are also ready to abide by the terms of bail order. Therefore, their regular bail petitions may be allowed.

5. Bail petitions are opposed by learned counsel representing State. Status report has been filed in both cases. It is argued that specific role is attributed to both petitioners. After completion of investigation, challan has been presented qua petitioners alongwith co-accused. As per status report, case is pending for framing of charge-sheet. Considering specific and serious allegations, both petitioners are not entitled to be released on regular bail.

6. I have considered the arguments and have gone through the record. Both petitioners were arrested and they have already joined investigation. After completion of investigation, even challan has been presented. From the perusal of record annexed with both petitions, it is clear that Manoj Kumar and Amarjeet alias Amarjit Singh have been granted bail in CRM-M Nos. 44504 and 40528 of 2022, vide order dated 17.11.2022. Again Renu Sharma has been granted regular bail in CRM-M No. 55603 of 2022 vide order dated 06.12.2022. Neelam Pathania was also granted anticipatory bail in CRM-M No. 19184 of 2024, vide order dated 24.09.2024. Parbodh was also granted regular bail in CRM-M No. 34410 of 2024, vide order dated 29.07.2024. Present petitioners are ready to abide by terms of bail order. Considering aforesaid factual position, no purpose would be served by keeping them behind bars for indefinite time period.

Evidence in trial is yet to start. Therefore, **regular bail petitions i.e.**



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CRM-M-31981-2024 and CRM-M-37928-2024 filed by petitioners Joginder Singh alias Joginder Thakur and Danial Masih alias Daniel Masih respectively are allowed. They are ordered to be released on bail on furnishing their bail bonds and surety bonds to the satisfaction of Illaqa Magistrate/Duty Judge concerned.

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

28.10.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No