



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

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**CRM-M-38572-2024
Date of decision: 14.08.2024**

Bikkar Singh

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Narender Kaajla, Advocate, for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.140 dated 03.07.2023 under Sections 406 and 420 IPC registered at Police Station Sector-9, District Ambala City, Ambala.

2. Learned counsel for the petitioner submits that in a magisterial trial the petitioner has been in custody since 02.05.2024; investigation is complete as challan stands presented and charges have been framed. It has still further been submitted that false allegations have been levelled against the petitioner of having taken money from the complainant on the pretext of providing him a government job. It has still further been submitted that since prosecution evidence is yet to commence and as many



as 10 witnesses have been cited by the prosecution, the possibility of the trial concluding in the near future seems bleak. Hence, further incarceration of the petitioner would not serve any useful purpose.

3. Per contra, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed that investigation in the present case is complete as not only challan stands presented but even charges have been framed. Learned State counsel has, however, reiterated the allegations levelled in the FIR against the petitioner which are reproduced hereinunder:-

“Fact of complaint is in such as complaint number 533-PW dated 03.02.2023 of Saloni wife Shri Harvinder Singh resident of Flat No. 14 C Highland Park Pabaat Road Zirakpur District Mohali (Punjab) through Post has been received from Superintendent of Police Office in the police station Ambala City which is based on the fact that to the Superintendent of Police Ambala Subject: In the name of providing a job in the Police Department played fraud of Rs. 17,50,000/- by Bikkar Singh. Sir, I Saloni wife Sh. Harvinder Singh is a resident of Flat No. 14C Highland Park Pabat Road Zirakpur District Mohali (Punjab). In 2019 I used to live in village Rupo Majra with my husband and my husband does a private job in Panchkula. After that I am living with my husband from there. I have started living with my husband at Zirakpur. Then at that time Bikkar Singh S/o Swaran Singh Resident 11/1416 Mori Gate Chandigarh Mobile no. 7652847716. 8283927421, he was familiar with my uncle Harchand. Bikkar Singh used to come to his house and have also come once or twice at our house but we used to meet only at my uncle Harchand's house, who is now dead. Whenever he used to come, he used to tell my parents that he will get both their children's jobs in the police department. Then my parents came in Bikkar Singh's trap and told us about this. Then through my husband Harvinder Singh 2019, In 2020, 2021, I Saloni and my



husband and my brother Sahil son Rajendra Singh gave cash many times and many times deposited in his bank account No. 50100120386082 of Bikkar Singh through NBT a total Rs. 2,50,000/- deposited. Bikkar Singh took a total of Rs. 17,50,000/- from us in the name of providing job. Bikkar Singh used to ask to deposit even small amounts from us in his account. He used to tell that I had to give money in the office, we used to put money in his account. When he failed to provide job, then we asked to return our money. Then Bikkar Singh kept on avoiding that the result has not come yet, for which we have proofs as well. Due to lack of knowledge of the law. We had given a complaint about money in Zirakpur police station, whereas we had given all the money in Ambala, whose full proof is with me. That Bikkar Singh has cheated me in the name of providing job. Action should be taken. We had given all the payment in Nasirpur only. Thank you. SD/ Saloni wife Shri Harvinder Singh resident flat no. 14 C Highland Park Pabat Road Zirakpur District Mohali (Punjab) 8847433843.”

4. I have heard learned counsel for the parties and perused the relevant material placed on record.
5. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.
6. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

August 14, 2024
poonam

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