



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40691-2024
Date of Decision: August 23, 2024

MANJIT SINGH
.....Petitioner(s)

V/S

STATE OF PUNJAB
.....Respondent(s)

CORAM: HON’BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Mandeep Singh, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

1. Relief Sought

The jurisdiction of this Court under Section 482 B.N.S.S., has been invoked seeking the concession for the grant of anticipatory bail to the petitioner in FIR No.132 dated 13.10.2018, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC, 1860 registered at Police Station Ghagga, District Patiala.

2. Prosecution story set up in the present case as per the version in the FIR read as under :-

‘This time one ruka in written by ASI Sher Singh 1551, Police Station Ghagga case against Amandeep Singh alias Rocky son of Ranjit Singh resident of Sidhuwala police station Bakhshiwala District Patiala, Pradeep Sharma son of Tarsem



Lal resident of Samana police station city Samana and Arvinder Singh alias Boni son of Narinderpal Singh resident of Ambala (HR) offence under station 419,420,465,467,468,471,120B IPC received in police station by hand constable Amandeep Singh 1554 which majboon jail is as, Chief officer Police station Ghagga, Jai Hind, today I along with ASI, constable Satpal Singh 1959, constable Jagdish Nain 135, constable Amandeep Singh 1554, were riding in a private car for patrolling, were able to trace the bad persons, present at Atala Road Ghagga, then informant has informed me ASI that Amandeep Singh alias Rocky son of Ranjit Singh resident of Sidhuwala police station Bakhsiwala district Patiala, Pradeep Sharma son of Tarsem Lal resident of Samana police station city Samana and Arvinder Singh alias Boni son of Narenderpal Singh resident of Ambala (HR) these three persons along with their other accomplices prepare forged documents and prepare fake registration copies of vehicles and charge a lot of money from innocent people. These three have rented a room in city Patiala and set up their office. These have stamps of various registration authorities, these persons moving in Ghagga area on motorcycle number PB11AS-0877 Marka Splender but, if the blockade is done, these three persons can be caught and they have in their possession a large quantity of forged copies of various vehicles and stamps of various registration authorities. Information is correct, above Amandeep Singh, Pradeep Sharma and Arvinder Singh conspired to prepare fake documents and use the stamps of different authorities and keep the stamps in their possession complete the offence under 419, 420, 465, 467, 468, 471, 120- B IPC. So Ruka haja barraye case against above accused, giving it to police officer Amandeep Singh 1554 and sending it to the police station for register the case and inform the case number. Inform the I/C Control Room Patiala through W/M. Man ASI along with



fellow employees, the investigation was carried out at spot. Sd/- Sher Singh ASI police station Ghagga, Dated 13.10.18, Atala Turning point Ghagga, at 8:35 pm, on which the case number was registered against the said crime and the record was made at the police station. Copy of FIR will be sent to Area Magistrate Sahib and officers through post. In charge Control Room Patiala is being notified through Bajria W/M. Misal Muqdama Mah Asal Ruka by hand constable is sent to ASI Sher Singh 1551 Police Station Ghagga for investigations'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner contends that as per FIR no prima facie case has been made out against the present petitioner and he is not even named in the instant FIR. The petitioner has only been implicated in the present case on the disclosure statement of co-accused namely Amandeep Singh alleging that he took help of the present petitioner for preparation of the forged registration certificate but no iota of evidence has been collected and put forth by the investigating officer to establish the link of the petitioner with co-accused Amandeep Singh in six years. Co-accused namely Amandeep Singh @ Rocky, Arvinder Singh @ Soni and Darshan Lal have also been granted the concession of regular bail by this Court vide order dated 28.05.2019, 06.05.2019 and 09.05.2019 (Annexures P-2, P-3 & P-4), respectively.

On behalf of the State

Learned State Counsel appearing on advance notice on

instructions from ASI Balbir Singh opposes the prayer for grant of



concession of anticipatory bail on the ground that custodial interrogation of the petitioner is required and necessary for thorough investigation in the matter.

4. **Analysis**

Be that as it may, after giving a thoughtful consideration to the submissions made by counsel for both the parties and further considering the fact that co-accused having also been granted the concession of regular bail, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to his joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



- (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

(SANDEEP MOUDGIL)
JUDGE

23.08.2024
Sangeeta

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