



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

232

CRM-M-41514-2024

Date of decision: 12.11.2024

Sukhwinder Singh Patwari

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Yagsimant Attri, Advocate  
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

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**MANJARI NEHRU KAUL, J.**

1. The petitioner in the instant (third) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.143 dated 19.06.2017 under Sections 420/465/467/468/471/120-B of the IPC registered at Police Station Bhikhiwind, Tehsil Patti, District Tarn Taran.

2. Learned counsel for the petitioner contends that he has been falsely implicated in the present case for allegedly forging entries concerning ownership of a land in revenue record. While drawing the attention of this Court to the FIR annexed as Annexure P-1, learned counsel submits his false implication in the case in hand finds credence from the fact that neither any loan was sanctioned in the name of the petitioner, nor did the petitioner receive any amount out of the purported loan. It has been submitted that co-accused, Sukhdev Singh (Patwari) and Harpreet Singh (Assistant System Manager), who



CRM-M-41514-2024

allegedly fabricated the revenue records, were declared innocent by the investigating agency despite their active involvement in the operation of the computer system used to make the contested entries. Learned counsel further submits that the petitioner has been in custody for around an year and eight months, after having been arrested on 26.03.2023, the trial is going to take long time to conclude as 11 out of 13 prosecution witnesses still remain to be examined, and in these circumstances his further incarceration would serve no useful purpose.

3. *Per contra*, learned State counsel on instructions has vehemently opposed the prayer and submissions made by the Learned counsel. Learned counsel has submitted that there are serious allegations against the petitioner of forging and making fictitious entries in the Jamabandi records for the year 2010-11 of Village Bhaganpura. These fabricated entries allegedly showed certain Khasra and Khata numbers as owned by Kashmir Singh and Angrej Singh, who then obtained a substantial loan of Rs.90 lakhs from Allahabad Bank, Patti, based on these forged documents. Learned State counsel has further submitted that the petitioner is a man of criminal antecedents and is involved in as many as four other cases including a case under the PC Act, in which he already stands convicted. It has been submitted that the petitioner, being a public servant, deliberately facilitated a fraud involving significant public funds, which points unequivocally to the misuse of his official position. Learned state counsel has further apprised this court that after the framing of the charges, the trial is going at a smooth pace as the matter is now at the stage of prosecution



CRM-M-41514-2024

evidence and two out of 13 witnesses already stand examined, however, since some material witnesses still remain to be examined, the prayer of the petitioner be declined.

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

5. *Prime facie*, there are serious allegations against the petitioner who being a public servant (Patwari), fabricated and interpolated certain entries in the revenue records. Still further, as apprised by the learned State counsel, the petitioner is involved in four other criminal cases including one case wherein he stands convicted under the PC Act. In the facts and circumstances as enumerated hereinabove coupled with the criminal antecedents of the petitioner and the stage of trial as some material witnesses have not been examined yet, this Court does not deem it fit to extend the concession of bail to him.

6. Accordingly, the instant petition is hereby dismissed.

7. 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.

12.11.2024

Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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