



CRM-M-43042-2024

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

202/A

CRM-M-43042-2024

Date of Decision: 12.09.2024

Kulwinder Singh alias Billa

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Vipin Mahajan, Advocate for the petitioner

Mr. M.S. Teji, AAG, Punjab

TRIBHUVAN DAHIYA, J. (Oral)

This is a petition for grant of regular bail in case FIR No.219 dated 15.10.2020, registered under Sections 406, 420, 465, 467, 468, 471, 120-B IPC, at Police Station Sujampur, District Pathankot, Punjab.

2. As per allegations in the FIR, the main accused Gurpreet Singh demanded money from the complainant-Joginder Singh for arranging employment for his son Sanjeev Kumar in Railways, and an amount of ₹1 lakh was paid by him to Gurpreet Singh. The allegation against the petitioner is that the complainant met him in the presence of Gurpreet Singh, and a letter of appointment was handed over by him to the complainant's son, and some money in cash was also given to the petitioner by the complainant.

3. Learned counsel for the petitioner contends that the petitioner himself is a victim of Gurpreet Singh/main accused. He was a job seeker and fleeced by the main accused. The fact is apparent from the Bank statement, Annexures P-2 & P-3, whereby amount of ₹50,000 and ₹1,49,988 was transferred to the main accused on 07.03.2018 and 01.03.2018, respectively,

from the petitioner's/his father's account. He is not associated with the main



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accused in any manner, and has been implicated only on the allegation that was present along with the main accused in his house. Besides, the petitioner is in custody since 22.03.2024, and investigation of the case is complete as final report under Section 173 (2) Cr.P.C. stands filed.

4. Learned State counsel contends that the petitioner has been specifically named in the FIR. There are allegation of cash amount having been handed over to him, and collectively total amount involved is forty-eight lakhs which concerns all the accused. He, however, does not dispute that the investigation of the case is complete and charges have been framed on 06.09.2024. The case is fixed for prosecution evidence on 20.09.2024, and there are twenty-nine prosecution witnesses to be examined.

5. The arguments advanced by learned counsel for the parties have been considered.

6. Apparently, the offences alleged is triable by the Magistrate, and the petitioner is in custody for over five months and twenty days. Conclusion of the trial will take some time as none of the prosecution witnesses has been examined so far. No useful purpose will be served by confining him to custody any longer.

7. Accordingly, petition is allowed and the petitioner is directed to be released on regular bail subject to the satisfaction of the trial Court/Duty Magistrate concerned.

(TRIBHUVAN DAHIYA)
JUDGE

12.09.2024
Payal

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