



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

CRM-M No.43721 of 2024
Date of decision: 21st October, 2024

Satnam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Atul Goyal, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 483 of the BNSS 2023 in case FIR No.0049 dated 17.01.2024 registered at Police Station Division No.7, Police Commissionerate Ludhiana under Sections 52-A(1) of the Prisons (Punjab Amendment) Act, 2011; Section 21/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 34, 120-B of the IPC.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 22.01.2024, and his arrest is a result of false allegations stemming from internal departmental rivalry. It has been further submitted that at the time of his arrest, the petitioner was serving as the Assistant Jail Superintendent at Central Jail, Ludhiana; there is no substantive evidence on record to corroborate the allegations that the

petitioner had ever solicited or accepted any bribes from anyone. It has also been argued by the learned counsel, that there is no documented transaction linking the petitioner to any receipt of money via Gpay concerning the alleged offences. Learned counsel submits that on the contrary, specific allegations of receiving payments through Gpay have been levelled solely against co-accused Dilpreet Singh.

3. Learned counsel for the petitioner has further contended that the investigation in the present case stands concluded and not only has the challan been presented but even charges stand framed, hence, further incarceration of the petitioner would serve no useful purpose as there can be now no possibility of the petitioner tampering with evidence, coupled with the fact that the trial would take considerable time to conclude.

4. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the learned counsel for the petitioner, by underscoring the gravity of the allegations levelled against the petitioner. It has been contended, on instructions, that the petitioner in active connivance with his co-accused, was involved in supplying prohibited articles, such as, mobile handsets and intoxicants to jail inmates in exchange for large sums of money. Although the money was transferred into the account of co-accused Dilpreet Singh, it has been contended by the learned State counsel that the money was subsequently transferred by co-accused Dilpreet Singh to Gurjinder Singh, who further passed them on to a person named Mani. Said Mani would

withdraw the aforementioned sums of money and ultimately make cash payments to the petitioner.

5. The learned State counsel has also submitted, on instructions, that a search of the residence of the petitioner led to the recovery of a number of mobile handsets. Additionally, the petitioner is facing trial in another FIR registered for offences under the NDPS Act. Learned State counsel has vehemently argued that it was evident that the petitioner had misused his official position to facilitate the smuggling of intoxicants and other prohibited articles into the jail in exchange for money. The entire operation, it is argued, was meticulously orchestrated through the illicit transfer of money between various individuals, with the aim of concealing the involvement of the petitioner.

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

7. Prima facie, there are serious and specific allegations against the petitioner. These include the misuse of his official position as Assistant Jail Superintendent and his alleged involvement in facilitating the smuggling of prohibited items into the jail in lieu of money. The petitioner is also stated to be involved in one other case under the NDPS Act, which further exacerbates concerns about his antecedents and conduct.

8. No doubt the investigation in the present case is complete and charges also stand framed, the severity of the allegations against the petitioner, particularly his role in a larger conspiracy involving the transfer of illicit money through various intermediaries, cannot be

disregarded. The evidence in the instant case is yet to be recorded and thus, this Court does not deem it fit to extend the concession of bail at this stage, as there could be a likelihood that the petitioner could attempt to tamper with the evidence or influence/intimidate witnesses. The possibility of the petitioner, therefore, misusing his influence, particularly in light of his former official position, further strengthens the needs for his custody. In the facts and circumstances, as enumerated hereinabove, the petition stands dismissed. 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.

(MANJARI NEHRU KAUL)
JUDGE

October 21, 2024
rps

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