



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

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CRM-M-54502-2024

Date of decision: 08.11.2024

Simranjeet Singh @ Simranjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.307 dated 03.12.2022 under Sections 406, 420, 120-B of the IPC registered at Police Station Sadar Nabha, District Patiala.

2. Learned counsel for the petitioner submits that a false and twisted version has been brought forth in the FIR in question which has been annexed as Annexure P-1. The entire case of the prosecution is based on documentary evidences which is already part of the challan, which already stands presented before the learned Trial Court. Learned counsel submits that in the facts and circumstances moreso when charges have not yet been framed and as many as 15 witnesses have been cited by the prosecution, his further incarceration would serve no useful purpose and there can be no apprehension of the petitioner tampering with evidence. It has also been asserted by learned counsel that allegedly an amount of Rs.24,70,000/- was given in cash to the petitioner by the complainant, which is highly improbable.



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3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from SI Gurwinder Singh, has not disputed the custody period of the petitioner as well as the stage of trial. It has also not been disputed that challan stands presented on 08.10.2024. However, learned State counsel has reiterated the allegations levelled in the FIR which stands reproduced hereinunder:-

*“To Respected SSP, Patiala subject for taking the legal action against the Hargun, Gurveen Kaur Binni, **Simranjit Singh** (98142-78843), Kamal (wife of Simranjit Singh) for committing the fraud of Rs. 24,70,000/- on the pretext to send to USA and for providing fake Visa. On dated 16.06.2022, the payment was made. On that day, Ajit Pal Singh relative of **Simranjit Singh** was also present. Sir, it is submitted that I Bachittar Singh son of S. Ujagar Singh is resident of Village Ucha Gaon, Tehsil and District Patiala and I am 37 years old and I do private job, some years ago, I was working in Hong Kong and due to my bad health I came back but I again thought to do the work by going abroad then I talked with one person namely Simran who was working as agent. He had met me through my son friend at Amloh and **Simranjit Singh** told the expense of Rs. 25,00,000/- for going to USA then my family members got agreed and we thought to sell our one plot for arranging the money. In some days, I sold my small plot situated in Model town in the tune of Rs. 30,00,000/- and thereafter, on dated 16.06.2022, I went to Nabha in evening with money. My relatives accompanied me and in the car only we got counted the money to **Simranjit Singh**. On that day, his sister Gurveen Kaur and his brother Hargun were also there and wife namely Kamal was also there then his wife and sister counted the whole money and he returned Rs. 30,000/- from Rs. 25,00,000/-. On that day, Karamjit Singh was also with me who had arranged my meeting with **Simranjit Singh** and his wife. After taking the money from me (in Nabha) I was sent to Delhi Airport. I after going to Delhi Airport kept on to wait for him for two days at Delhi Airport but neither he gave my passport nor had come to Delhi for making me board to flight. His visa and ticket was also fake. After the harassment for two days, we came back to our village and later on, he stopped picking up my phone call and due to that we were in so much tension and we felt that big fraud has been*



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committed with us. I want strict action may be taken against his kind of fraud agent. My passport and money may be get returned from him. I shall be highly thankful to you. Yours faithfully, Sd/- Bachittar Singh Mob. No. 9915590133."

4. Learned State counsel has submitted that the next date fixed before the learned Trial Court is 13.11.2024 when in all likelihood charges would be framed.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 12.08.2024 in a magisterial trial. Challan already stands presented. The petitioner is not shown to be involved in any other case much less of identical nature. In the facts and circumstances as enumerated hereinabove, moreso, when the entire case of the prosecution is based on documentary evidence, there can now be no apprehension of the petitioner tampering with evidence, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. 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.

08.11.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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