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**250 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-57623-2024
Decided on : 12.12.2024

Sukhdev Singh @ Bunty

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. R.S.Sidhu, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.38 dated 11.03.2023 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Patti District Tarn Taran.

2. Learned counsel for the petitioner submits that in a Magisterial trial, the petitioner has now been in custody since 31.05.2023; not only has challan been presented but even charges framed, however, till date, only one witness out of 13 cited by the prosecution has been examined. Hence, the possibility of the trial concluding in the near future does not arise. Learned counsel has further asserted that the petitioner is innocent and has been falsely implicated in the present case; the entire case of the prosecution is



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based on documentary evidence, which is now already part of the challan, hence, there can be no possibility of the petitioner tampering with evidence.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed the custody period nor has he, on instructions, disputed the stage of trial. However, learned State counsel has reiterated the allegations levelled against the petitioner in the FIR in question, which stands reproduced herein under:

“To, The SSP, Tarn Taran. Subject: Complaint against: Sukhdev Singh resident of Street No.5, Near Holy city School, Kot Khalsa, Amritsar (70000-26051), his wife Sarabjit Kaur (83462-83466, 86999-28048), his son Harman Singh, his relative ASI Satnam Singh (95014-00728) regarding fraud in connivance with each other committed of Rs. 13,40,000/- on the pretext of recruiting my son Dilkaran Singh as Sub-Inspector in Punjab Police. Respected Sir, I request that I Bohar Singh son of Gurdev Singh is resident of Village Qila Patti Tehsil Patti District Tarn Taran and working as agriculturalist. My son Dilkaran Singh has studied up to 10+2 whom I wanted to recruit in Punjab Police. One of my relative Bagicha Singh resident of Kot Khalsa, he told me that he has acquaintance with Insp. Sukhdev Singh and his wife Sarabjit Kaur who are working in the Vigilance Department who has well connections in the police department. After which me and my relative Bagicha Singh went to meet him at Sukhdev Singh's house in Kot Khalsa in September



2021, where Sukhdev Singh, his wife Sarabjit Kaur, his son Harman Singh and his relative Satnam Singh were already present. There Sukhdev Singh told us that Satnam Singh is his brother-in-law in relation, who is currently working as an ASI in the Punjab Police. Meanwhile, Sukhdev Singh told me that he has well connections in Punjab Police and Chandigarh Police and he can get my son Dilkaran Singh recruited as a sub-inspector in Chandigarh Police but it will cost 20 lakh rupees. From which both parties agreed to get my son recruited in Chandigarh Police for 18 lakh rupees. After that, Sukhdev Singh called me and asked me to come and meet him at the Foodies restaurant after a few days. According to him on 12/09/2021 1, my wife and my son went to Foodies restaurant to pay money to Sukhdev Singh where Sukhdev Singh, his wife, his son and his brother-in-law (Sala) ASI Satnam Singh was also present, in whose presence I gave Sukhdev Singh Rs.85,000/- in cash and Sukhdev Singh assured to get my son recruited as Sub-Inspector in Chandigarh Police soon. After which, according to Sukhdev Singh's request, I transferred in Sukhdev Singh's ICICI bank account number 055401509495 and his wife account number 599119878737390 in HDFC Bank on various dates and some money was given in cash. Thus, a total of Rs. 13,40,000/- has been given by me to Sukhdev Singh and his wife Sarabjit Kaur to get my son Dilkaran Singh recruited in Chandigarh Police, during which Sukhdev Singh sent us a fake email from Chandigarh Police Headquarters' I.D. And he also made my son undergo a medical examination at



Chandigarh to get him recruited in the police. After that, after elapsed of long time, I called a lot and asked about the next course of action, but, we were not given any satisfactory answer and later he stopped picking up my phone. After which, whenever I went to his house, he kept threatening me. Thus Sukhdev Singh, his wife Sarabjit Kaur, his son Harman Singh and his relative A.S.I. Satnam Singh cheated us Rs. 13,40,000/- for recruiting my son Dilkaran Singh on the pretext of getting him to join as a sub-inspector in the Punjab Police. Now I have come to know that Sukhdev Singh, his wife Sarabjit Kaur, his son Harman Singh and his relative ASI Satnam Singh have also been duped many in the name of recruiting them in the police. So please take appropriate legal action against Sukhdev Singh, his wife Sarabjit Kaur, his son , his son Harman Singh and his relative A.S.I. Satnam Singh cheated us Rs. 13,40,000/- for recruiting my son Dilkaran Singh on the pretext of getting him to join as a sub-inspector in the Punjab Police. Now I have come to know that Sukhdev Singh, his wife Sarabjit Kaur, his son Harman Singh and his relative ASI Satnam Singh have also been duped many in the name of recruiting them in the police. So please take appropriate legal action against Sukhdev Singh, his wife Sarabjit Kaur, his son Harman Singh and his relative ASI Satnam Singh and got return our money. sd/-”

Learned State counsel has submitted that a perusal of the allegations levelled in the FIR reveals that the petitioner has not only



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been named therein but there are specific allegations against him of having duped the complainant of Rs.13 lakhs on the pretext of providing him a government job; the money transaction between the complainant and the petitioner is duly documented through bank transactions. It has also been submitted by the State counsel that the petitioner is facing trial in three other cases of identical nature.

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

5. As not disputed the present case is based on documentary evidence in the shape of money transactions pursuant to the alleged assurance given by the petitioner to the complainant that in lieu thereof the latter would be provided a government job. There can be no apprehension of the petitioner tampering with evidence since it is all part of the challan.

6. In the facts and circumstances as enumerated hereinabove and keeping in view of the possibility of the trial taking considerable time to conclude, this Court deems it fit to extend the concession of regular bail to the petitioner. 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.

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.



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8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

12.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

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