

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

2025:PHHC:081830



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CRM-M-33257-2025

Date of decision:08.07.2025

Amritpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ramandeep Singh, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.05 dated 23.01.2025 registered under Section 204, 205, 319, 318(4), 336(3), 340(2) of BNS (Sections 337, 338, 339 of BNS were added later on vide rapat No.26) at Police Station 'E' Division, Amritsar.

2. The aforementioned FIR was registered on the basis of complaint recorded by the complainant – Amandeep Singh alleging therein that the accused Ajaypal Singh, who is real brother of the petitioner came into contact with his son Chanpreet Singh and while introducing him as a special officer posted in CBI, he allured the son of the complainant by saying that he could get him (son of the complainant) selected in Punjab

Police on payment of money and also represented that he had got his brother Amritpal Singh i.e. the petitioner and several other youths recruited in Punjab Police Department. Son of the complainant apprised about this fact to him and then he contacted the accused Ajaypal Singh, who induced the complainant to part with a sum of Rs.50,000/- for the purpose of selection of his son in Punjab Police. Trusting him, the complainant gave him a sum of Rs.50,000/- to accused Ajaypal Singh. His son appeared in the written examination for recruitment in Punjab Police but failed and then the complainant by saying that he could get him appointed to a higher post of ASI subject to his completing graduation examination, he made the complainant to pay more amount of money and was made to part with a total sum of Rs.10 lakhs. However, subsequently the complainant came to know that he had been duped of his money and by making similar representation, the accused Ajaypal Singh had extracted a sum of Rs.6 lakhs from him. He alleged that the Ajaypal Singh had shown photograph of the present petitioner in Punjab Police uniform and had allured him for recruitment in Punjab Police and had cheated him in connivance with Amritpal Singh. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested and is in custody since 03.02.2025. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The allegations as levelled in the FIR are against his brother Ajaypal Singh and not against him. Only to exert pressure on his brother, the petitioner has been named in the FIR. He had never met the complainant or his family members. Neither he is the

beneficiary of any transaction nor any demand of money was made by him. He is an artist by profession. He has no involvement in the illicit activities of his brother and no knowledge about the same. He has clean antecedents. His further incarceration would not serve any useful purpose. With these assertions, it is urged that he deserves to be released on bail.

4. Per contra, it is argued by learned State counsel that keeping in view the gravity of allegations, the petitioner does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

6. The petitioner in connivance with his brother is alleged to have cheated the complainant of a sum of Rs.10 lakhs on the pretext that his son would be recruited in Punjab Police. A cursory perusal of the contents of the FIR, however, reveals that the main allegations have been levelled against co-accused, Ajaypal Singh, who is brother of the petitioner and there is no allegation that the petitioner had made any inducement or promise to the complainant or his son to get him employed in Punjab Police. It is, therefore, debatable as to whether the ingredients for commission of offence of cheating have been made out as against the petitioner or not. He is in custody since 03.02.2025. The trial will take considerable time to conclude. The subject offences are triable by the Magistrate. No useful purpose would be served by keeping the petitioner in custody anymore, it is well settled proposition of law that bail is the rule and the jail is an exception.

7. Keeping in view the above discussed facts, this Court is of the considered opinion that the petitioner deserves to be released on bail.

Accordingly the petition is allowed and he is ordered to be admitted to bail subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/learned Chief Judicial Magistrate/Duty Magistrate concerned.

8. It is, however, made clear that nothing stated hereinabove shall have any bearing on the merits of the case.

9. This order shall come into force from the time it is uploaded on this Court's official webpage.

08.07.2025

harjeet

**(MANISHA BATRA)
JUDGE**

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