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

**CRM-M-40756-2025
Decided on : 03.12.2025**

Manjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Sukhbir Singh, DAG Punjab

Mr. Gursimra Singh Bawa, Advocate
for the complainant

SANJAY VASHISTH, J. (ORAL)

1. Petitioner- Manjit Singh has filed instant petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 307 dated 12.10.2020 registered under Sections 420, 120-B IPC at Police Station Lopoke, District Amritsar Rural.

2. The prime allegation against the petitioner is that, he duped around twenty persons/victims, for a total amount of Rs. 18 lacs by alluring them to get them recruited in the Indian Army. Each of the victim paid an amount of Rs. 90,000/-. After paying the amount in cash, forged/fabricated roll numbers were given to the victims. The allegation is that, neither the amount was returned nor the job was arranged.

3. Learned counsel for the petitioner contends that the allegations are



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false and fabricated. There is no proof of handing over the amount to the petitioner, more so for the purpose of arranging recruitment in the Indian Army. Further argues that alleged offence is triable by the Court of learned Magistrate, which is maximum punishable for a period of three years in ordinary course. As of now, the petitioner is inside the jail since 28.03.2025 i.e. for the last about nine months. He further argues that Court martial proceedings were conducted against him and he has already been dismissed from the service and in pursuance to the Court Martial proceedings he has been sentenced for a period of 5 ½ years, therefore, for the same set of allegations, the petitioner can not be prosecuted through the instant criminal case proceedings, as it would to amount *double jeopardy*, thus, prays for grant of regular bail.

4. On the other hand, learned State counsel submits that the petitioner has played fraud with around 20 persons by taking them in confidence of providing job and then received the amount from innocent persons, therefore, the petitioner does not deserve any sympathetic consideration for the purpose of bail as made by him.

5. I have considered the submissions addressed by learned counsel for the parties and also gone through the available record. Undoubtedly, the offence under Section 420 IPC is triable by the Court of learned Magistrate and in ordinary course the sentence awarded in such like cases is maximum three years unless some special reasons are assigned for awarding higher sentence. On pointing out by the respective counsels, it is also noticed that all other family members of the petitioner have already been declared innocent, therefore, the charge of criminal conspiracy punishable under Section 120-B IPC, no more exist. The argument has not even been disputed that the petitioner has already been dismissed from the

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service and has also been sentenced by the army authorities in pursuance to Court Martial proceedings for a period of five years and 6 months.

Above all, the Court can not ignore the aspect that the complainants/victims, who paid amount for getting job (job on cash) are also equally responsible to promote such people in the Society, therefore, there is contribution in the crime by such people also and petitioner alone can not be made responsible to remain inside jail for facing the consequences.

6. Accordingly, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

9. Petition stands disposed of.

December 03, 2025

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO