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

CRM-M-41704-2025

Date of Decision: 23.04.2026

Rajeev Singh @ Chotu Pahalwan

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sandeep Singh Jattan, Advocate, for the petitioner.

Mr.K.D.Sachdeva, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.18 dated 26.01.2024, registered under Sections 406, 420, 120-B IPC (Sections 465, 468, 471, 170, 171 IPC and Section 25 of the Arms Act, 1959 added lateron), at Police Station Dasuya, District Hoshiarpur.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Gurmeet. It was alleged that he is a wrestler and is practicing alongwith Krishan, Sandeep, Ram Mehar, Rohit, Pankaj Kumar, Vikas and Ajay Banewala in Kaithal. Ajay Banewal told him that his friend Rajiv Singh (petitioner) is running an Akhara in District Hoshiarpur and is a famous wrestler, who discloses himself to be a police official. He introduced them to Rajiv Singh. They met Rajiv Singh in his Akhara where they practiced also. Ajay Banewala disclosed that Rajiv Singh is his old acquaintance and is having connection with higher police officers. That he had paid Rs.13 lacs for recruitment as ASI in Punjab Police. He asked the complainant and others that they can also be recruited as police official by making payment to Rajiv Singh. Thereupon, the complainant on assurance by Rajiv Singh and Ajay Banewal paid



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Rs.15,50,000/- to them through bank transfers. Besides him, Ram Mehar, Vikas, Pankaj, Rohit, Sandeep and Krishan also paid them Rs.13 lacs each through bank transfers. Several other boys also approached Rajiv Singh for joining Punjab police and payments were received from them by Rajiv Singh. They asked the complainant and others to collect their appointment letters from PAP, Jalandhar on 26.01.2024. Accordingly, complainant and others persons reached there and came to know that someone had attacked on Thar vehicle of Rajiv Singh. Lateron, they came to know that Rajiv Singh is not a police official and he himself got gunshot fired on his vehicle and ran away. They came to know that they had been cheated by the accused on the promise of getting them recruited in Punjab Police. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced and the petitioner was arrested on 24.01.2024. He approached the Court of learned Sessions Judge, Hoshiarpur praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 31.07.2024. Thereafter the petitioner approached this Court by way of filing CRM-M-40862-2024, however, the same was declined by this Court vide order dated 03.02.2025. Hence, the petitioner has again approached this Court praying for grant of bail by way of filing the present second petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner is behind the bars since 24.01.2024. He contends that except the petitioner, rest of the co-accused are already on bail.



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He contends that the petitioner is facing prosecution in a magisterial trial. He further contends that the petitioner has never been involved in other case of the similar nature, though he has been falsely implicated in more case under the Arms Act. He contends that the petitioner is behind the bars from the last more than two years, however, till date only four witnesses, out of 32 prosecution witnesses have been examined and thus, his right of speedy trial is miserably defeated. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is the main accused and there is a transaction of Rs.22,20,000/- in his account. On instructions, he submits that out of total 32 prosecution witnesses, 04 witnesses have been examined. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is facing prosecution in present FIR. He was arrested on 24.01.2024. The arguments raised by both the sides are subject matter of trial, which would be assessed only after appreciation of the evidence to be led by both the sides before the trial Court. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 02 years, 02 months & 19 days as on 22.04.2026. It further shows that the petitioner is facing prosecution in more FIR. Out of 32 prosecution witnesses, 04 witnesses, have been examined.

6. The trial of the case is likely to take sufficient time. Speedy trial is the right of every accused. The Hon'ble Supreme Court in Ashim @



Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya
@ Aseem Kumar Bhattacharya Vs. National Investigation Agency,
2022(1) SCC 695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

7. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in **Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

10. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will

not be counted in the present case after one week.

11. Nothing said herein shall be treated as an expression of opinion
on the merits of the case.

23.04.2026

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No