



1860 at Police Station Fatehgarh Sahib, District Fatehgarh Sahib. The petitioner is in custody since his arrest on 02.08.2021.

The contents of the FIR as noticed by the Additional Sessions Judge, Fatehgarh Sahib in his order dated 20.09.2021 are as under:-

"I have considered the rival submissions and after going through the record, it has transpired that instant FIR was registered on the application of one Gurpreet Singh that he is agriculturist and he was having good relations with accused persons. It is further mentioned in the application that in the month of January 2018, accused Gurdeep Singh called complainant Gurpreet Singh that post of drivers are advertised in the Hon'ble High Court and if complainant wants to get his son recruited, then Gurdeep Singh can help him. Thereafter, Gurdeep Singh and his father Parminder Singh, accused, called complainant at Fatehgarh Sahib and then Gurdeep Singh disclosed him that he is working as driver in the Hon'ble High Court with Hon'ble Justice Harinder Singh Sidhu and he can get job done for the son of complainant for Rs.4,50,000/-. They assured the complainant that if job is not done, then they will return the amount. The talk took place in the presence of one Sarabjit Singh. Gurdeep Singh and Parminder Singh then demanded educational certificates, 2 passport size Balwinder Kumar, Additional Sessions Judge, Fatehgarh Sahib. UID#PB0160 3 photographs of sons of complainant, which was handed over to them and at that time complainant gave Rs.75,000/- to them on 09.01.2018.

It is further mentioned in the application that in the month of February first week, accused Parminder Singh also demanded remaining amount in the name of Judge and thereafter, complainant gave Rs.50,000/- to them through accused Kulvir Kaur, daughter-in-law of Parminder Singh. Thereafter, complainant also gave one cheque of Rs.1,50,000/- to Gurdeep Singh and then also gave another cheque of Rs.1,50,000/- to them and thus, accused persons took Rs.4,25,000/- in total from complainant, but thereafter accused did not fulfill their promise and they kept putting off



the matter. Then complainant alongwith Sarabjit Singh approached accused persons, who gave cheque of Rs.3 lacs, but it was dishonoured and complainant came to know that accused persons have already cheated many persons by using such pretexts and FIRs are pending against them.

After receiving this application, police machinery swung into action and instant FIR was registered under Sections 406/420 IPC against accused.”

Learned counsel for the petitioner has argued that the petitioner is not keeping good health, who is suffering from heart ailment and is being taken repeatedly to the hospital by the jail authorities for treatment. He further submits that the investigation of the case is complete as the final report stands filed on 23.09.2021. He has further invited the attention of the Court to Annexure P-3, whereby co-accused of the petitioner, namely, Kulvir Kaur has already been granted the concession of the regular bail. He prays for bail.

On the other hand, learned State counsel assisted by ASI Varinder Singh has opposed the prayer and has filed short reply by way of affidavit of Balkar Singh Bhullar, PPS, Superintendent, Central Jail, Ludhiana,. A perusal of para 3 reveals that the petitioner is getting treatment for his coronary artery disease and the health status report given by the Medical Officer, Jail Hospital reads as under:-

“It is submitted that UT Parminder Singh S/o Jaswant Singh, age 66 years, admitted in Central Jail Ludhiana on 19.08.2021. On medical examination dated 19.08.21 during jail entry, he gave history of Coronary Artery Disease and been taking treatment for the same as per medical done by Medical Officer of District Hospital Fatehgarh Sahib. No supporting medical record found attached. He was advised to follow up at medical OPD of jail hospital after jail entry for proper check up and



examination. On medical examination dated 28.12.21. he gave complains of acidity and Ghahrahat and advised treatment for the same after examination. He visited Medical OPD of jail hospital on dated 18.09.21, 21.09.21, 06.10.21, 21.10.21, 02.12.21, 07.12.21, 18.12.21, 23.12,21 and advised treatment as per his complains. This is for your kind information please.”

Learned State counsel, does not dispute this fact that the investigation of the case is complete as final report was filed on 23.09.2021, but according to him, the charges are yet to be framed.

Considering the above background, nature of the offences which are triable by Magistrate and custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, as charges are yet to be framed, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 28.01.2022.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

28.12.2021

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| Whether speaking/reasoned : | Yes | No |
| Whether Reportable : | Yes | No |