



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

211

CRM-M-18440-2025

Date of decision: April 25th, 2025

Sarabjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. P.S. Ahluwalia, Advocate
and Mr. Gaurav Jain, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.5 dated 09.03.2017 under Sections 409, 420, 467, 468, 471, 120-B of the IPC and Section 13(1)(d), 13(2) of The Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Jalandhar.

2. Learned counsel for the petitioner submits that in a case of false implication, he has been in custody since 05.02.2025; the entire case of the prosecution hinges on documentary evidence, which is all part of the charge sheet, which already stands presented before the trial Court on 03.04.2025. It has been further submitted that the petitioner was neither named in the FIR in question, which was registered in 2017 although as many as 26 other persons were arraigned as accused in the said FIR. Learned counsel submits that as per allegations, ten public

servants and 12 alleged beneficiaries colluded with each other and raised loan from the banks on the basis of forged documents; the petitioner is alleged to have witnessed one of the forged documents of co-accused Satnam Singh, who raised a loan of ₹16 lakh from the bank and thereafter transferred a sum of ₹3.5 lakh to the petitioner. Learned counsel has also brought to the notice of this Court that most of the co-accused including the ones, who are the alleged beneficiaries as well as public servants have since been extended the concession of bail by the learned trial Court. In support, attention of this Court has been drawn to the relevant orders granting them bail, which are annexed with the petition. Learned counsel for the petitioner submits that in the aforementioned facts and circumstances as enumerated hereinabove, when charges are yet to be framed, coupled with the fact that 15 prosecution witnesses have been cited, further incarceration of the petitioner would serve no useful purpose as the possibility of the trial concluding in the near future does not arise. In addition, it has also been submitted that since the entire case of the prosecution hinges on documentary evidence, there can be no possibility of the petitioner misusing the concession of bail by tampering with evidence.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite has reiterated the allegations levelled in the FIR, which has been annexed as Annexure P-1. It has been submitted that all the accused, including the petitioner colluded with each other, as a result of which they raised multiple loans from the bank running into approximately ₹3.5 crore.

4. On a pointed query put to the learned State counsel, he, on instructions, has not disputed that most of the co-accused, including

the public servants have already been extended the concession of bail. It has also not been disputed that investigation qua the petitioner is complete as challan stands presented against him.

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

6. The petitioner has been in custody since 05.02.2025. As many as 15 prosecution witnesses have been cited. The trial is unlikely to conclude in the near future as investigation is still pending qua some of the co-accused and charges have not even been framed against the petitioner.

7. In the facts and circumstances, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, the instant petition is allowed and the petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

8. 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.

9. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

April 25th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No