



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

251

CRM-M No.65175 of 2024

Date of Decision:13.01.2025

Rajesh Kumar @ Lobhi @ Rohit Sharma

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Nitish Garg, Advocate  
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

\*\*\*

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in case FIR No.214 dated 28.08.2024 under Sections 61 (2), 336, 340, 318 of BNS, 2023 and Section 7 of the Prevention of Corruption Act, 1988 as amended by Act of 2018 (later on added Sections 338, 340 (2) of BNS, 2023 registered at Police Station Tripuri, Patiala.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 30.08.2024. No suspicion was raised qua the involvement of the petitioner in forging of signatures of the District Magistrate, subsequent to which an arms licence was issued in favour of one Lovepreet Singh. It has been contended that the petitioner came to be nominated as an accused during the interrogation of co-accused Parveen Kumar, Clerk in the office of District Magistrate, Patiala, who claimed that signatures of District Magistrate, Patiala had been forged by him after conspiring with the petitioner and thereafter, a forged arms licence had been issued to Lovepreet Singh in lieu of Rs.10,000/-



illegal gratification. Learned counsel for the petitioner further submits that entire case of the prosecution is based on documentary evidence, which is already a part of the challan, which already stands presented before the trial Court concerned. It has also been submitted that charges have been framed on 07.01.2025 and therefore, the trial is unlikely to conclude in the near future, as none out of the 25 prosecution witnesses cited, have yet been examined. It has further been submitted that in the aforesaid circumstances, more so, when the disclosure statement on the basis of which the petitioner has been arraigned as an accused has little evidentiary value, the petitioner deserves to be enlarged on bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed that the petitioner has been in custody since 30.08.2024, challan qua the petitioner stands presented and he was nominated as an accused on the basis of a disclosure statement suffered by co-accused Parveen Kumar. However, learned counsel for the State has submitted that after forging signatures of the District Magistrate, Patiala, the co-accused had issued an arms licence in the name of one Lovepreet Singh and during investigation, it surfaced that the petitioner had conspired with the said co-accused in the commission of alleged offence.

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

5. The petitioner has been in custody since 30.08.2024. There are no allegations in the FIR in question against the petitioner. The petitioner is alleged to be a conspirator to the crime and even the alleged demand of illegal gratification was not made by him but by the co-accused Parveen Kumar. Be that as it may, in the facts and circumstances as enumerated hereinabove, since



all the incriminating material collected against the petitioner is already part of the challan, there can be no apprehension of the petitioner tampering with the evidence, hence, this Court deems it fit to admit the petitioner to bail.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

7. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**January 13, 2025**

Pankaj\*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No