

**IN THE COURT OF MS. SUIRNDER PAL KAUR
ADDITIONAL SESSIONS JUDGE, PATIALA
(UID no.PB0089)**

CIS No.BA/ 536/ 2024
CNR No. PBPT01-001596-2024
Date of Institution : 15.02.2024
Decided on : 21.02.2024

Mohit, aged about 24 years son of late Shri Subhash Chand, resident of H. No.B-1/2332, Old Balmik Basti, Old Rajpura, Tehsil Rajpura, District Patiala.

... Applicant-accused

Versus

State of Punjab

FIR no.353 dated 04.12.2023
under Sections 409, 420, 465, 467, 468, 471, 120-B IPC
P.S City Rajpura.

Bail Application under Section 439 Cr.P.C.

Present: Sh.K.S. Grewal, Advocate, counsel for applicant-accused
Sh. Deepinder Singh, Addl. PP for the State

ORDER

1. Vide this bail application, applicant-accused has sought regular bail in above mentioned FIR registered at PS City Rajpura.

2. Learned counsel for applicant-accused submitted that the applicant-accused is innocent and has been falsely implicated. Moreover, he is in custody since 26.12.2023. The presentation of challan and thereafter conclusion of trial will take sufficiently long time. No useful purpose would be served by keeping the applicant behind the bars for indefinite period. He further contended that the main accused in the

instant case i.e. Inspector Harjeet Singh has already been granted anticipatory bail by the Hon'ble High Court vide order dated 1.2.2024 and has produced the copy of the order of the Hon'ble High Court. With these submissions a request has been made to enlarge the applicant-accused on bail.

3. On the other hand, learned Addl.PP for the State vehemently contested the bail application on the ground of seriousness and gravity of the offence and prayer for dismissal of bail application has been made.

4. I have considered the above contentions of the learned counsel for applicant-accused, learned Addl.PP for the State and perused the record.

5. From perusal of the record it reveals that the present FIR has been got registered on the complaint of Executive Officer Municipal Council, Rajpura on the grounds that Municipal Council Rajpura has assigned the work of collection of Bus Adda fees to some of the class IV employees and out sourced employee of the department and has also provided them receipt book to issue the receipts and these employees after issuing the receipt and to deposit amount in the department daily. But they have committed illegalities in the same. On 22.12.2023 checking was made by the field staff, of the buses and the receipt issued to these buses were got checked and obtained and it has been found that receipts were not issued from the receipts book issued to these employees but from some other receipt books and number of receipts books were found to be

fake. And then the inquiry was made and it has been found that in the said scam Gagandeep Kumar Seva Dar Nagar Council, Rajpura. Mohit Kumar out source employee, his brother are involved. Hence, the present complaint.

6. From the perusal of the file it reveals that the present applicant- accused is in custody since 26.12.2023. From the perusal of the file it also reveals that as per the disclosure statement of Mohit Kumar, he has specifically stated that the forged receipts of fee used to be provided to them by Inspector Harjeet Singh and they used to distribute the money between them. Accused Harjeet Singh has already been granted anticipatory bail by the Hon'ble High Court vide order dated 1.2.2024. The recovery from the present applicant- accused has already been effected. The presentation of challan and thereafter the conclusion of trial will take sufficiently long time. No purpose would be served by further detention of the present applicant- accused for an indefinite period.

7. Keeping in view the entire circumstances, the bail application is allowed and applicant-accused is allowed to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount, learned Ilaqa/duty Magistrate, subject to the following conditions:

- i. That the accused shall not tamper with prosecution evidence;
- ii. That the accused shall not leave the country without prior permission of the Court;
- iii. That the accused shall appear in the court on each and every date hearing.
- iv. The accused-applicant shall surrendered his passport before

the learned trial Court and in case he does not possess any passport, to submit affidavit in that regard.

8. Police record be returned. File be consigned to the record room.

Pronounced:
21.02.2024

(Surinder Pal Kaur)
Addl. Sessions Judge,
Patiala.
UID no.PB0089

Braham Kumar
Stenographer-I

MOHIT VS STATE OF PUNJAB ETC.

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Present: Sh.K.S. Grewal, Advocate, counsel for applicant-accused
Sh. Deepinder Singh, Addl. PP for the State

Police record received and perused. Arguments heard. Vide
separate detailed order of even date the bail application has been allowed.

Police record be returned. This file be consigned to the record room.

Pronounced:
21.02.2024

(Surinder Pal Kaur)
Addl. Sessions Judge,
Patiala.
UID no.PB0089

Braham Kumar
Stenographer-I