

**IN THE COURT OF SHRI H.S. GREWAL,
SESSIONS JUDGE, MANSA
(UID NO.PB0081)**

Bail application No.580

Date of institution: 22.11.2024

CIS No.BA/1598/2024

CNR No.PBMN010044812024

Date of order: 27.11.2024

Manjeet Singh alias Gurpreet Singh Bachi, aged about 35 years, son of
Dhola Singh alias Mithu Singh, resident of Ward No.13, Sardulgarh,
Tehsil Sardulgarh, District Mansa.

--- Applicant-accused

Versus

State of Punjab

---Respondent.

Bail application under Section 482 of the Bharatiya Nagarik
Suraksha Sanhita, 2023.

FIR No.0046 dated 16.03.2023
under Sections 420, 406, 120-B of IPC,
Police Station, Bhikhi, District Mansa.

Present: Shri G.S. Mann, Advocate, counsel for the applicant-accused.
Shri Harpreet Singh Manshahia, Public Prosecutor for the
State.

ORDER

This order of mine shall dispose of an application for
anticipatory bail filed on behalf of applicant Manjeet Singh alias Gurpreet

Singh alias Bachi in FIR No.0046 dated 16.03.2023, under Sections 420, 406, 120-B of IPC, Police Station, Bhikhi, District Mansa.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put in appearance and record has been produced by ASI Gurcharan Singh. Report of Ahlmad has been perused. As per report of Ahlmad, no application filed by the applicant is pending nor any application has been decided by the Hon'ble High Court. However, anticipatory bail application of co-accused Mewa Singh has been allowed by this Court vide order dated 13.05.2024, whereas application for regular bail of co-accused Hardeep Singh has been allowed by this Court vide order dated 31.05.2024.

3. Learned counsel for applicant has vehemently argued that the FIR has been lodged by Sushil Kumar on the averments that on the pretext of purchase of horse and mare, he has been cheated. The deal was allegedly struck with applicant and Amandeep Singh. Thereafter, The applicant and Amandeep Singh had communicated allegedly with Mewa Singh, as to his being an NRI and an influential person and further that he was interested in purchase of horse and mare. Learned counsel has urged that as per the complainant, the deal was allegedly struck for a sum of Rs.28,00,000/- for purchase of horse and mare. As per the complainant, initially a sum of Rs.2,00,000/- was paid and thereafter applicant and Amandeep Singh had a conversation with Mewa Singh and it was informed that Mewa Singh was inclined to purchase the horse and mare

for a sum of Rs.40,00,000/-. As per the complainant, amount has been shown to have been taken to the tune of Rs.33,00,000/-, but, the details qua the amount paid, rather shows that it was only a sum of Rs.21,00,000/-. He has urged that the applicant has not committed any offence; rather, the payment has already been received by the complainant. The applicant is ready to abide by the directions, if any imposed. The application be allowed.

4. On the other hand, learned Additional Public Prosecutor for State has hotly opposed the contentions and has argued that the FIR has been lodged by complainant Sushil Kumar as to his having been cheated by the applicant along with others. The deal was struck for the purpose of horse and mare for a sum of Rs.33,00,000/-, which has been shown to have been paid. As per complainant, telecommunication was made by applicant and Amandeep Singh with Mewa Singh. Thereafter, Mewa Singh assured to purchase the horse and mare for a sum of Rs.40,00,000/-. But the amount of Rs.33,00,000/- has not been paid to the complainant. Thus, the applicant along with others has cheated the complainant. The application be dismissed.

5. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record produced by ASI Gurcharan Singh, coupled with the assistance rendered, it is apposite to make mention that the FIR has been lodged by complainant Sushil Kumar as to his having been allured by the applicant along with Amandeep Singh

for the purchase of horse and further that it was further offered that horse and mare would be sold at higher rate. As per the complainant, the deal was struck for the purchase of horse and mare for a total sum of Rs.28,00,000/- and a sum of Rs.2,00,000/- had been paid. Thereafter, applicant and Amandeep Singh had allegedly communicated on telephone with one Mewa Singh and that he was the owner and posing as an NRI and influential person. He had offered to purchase the horse and mare for Rs.40,00,000/-. As per the complainant, the alleged conversation took place with one Mewa Singh. It is only on the basis of the alleged communication which took place as per the complainant of applicant Gurpreet Singh, Amandeep Singh with Mewa Singh. But, no payment has been shown to have been made to the applicant. As such, the custodial interrogation of the applicant is not required. Co-accused has already been accorded anticipatory bail by this Court vide order dated 13.05.2024. Ends of justice shall be squarely met in case applicant is directed to make himself available to facilitate thorough and fair investigation. The applicant is directed to appear before the SHO/ investigating officer within five days from today and he shall fully cooperate. On putting in appearance, the applicant shall be admitted to bail on his furnishing the bail bonds in the sum of Rs.50,000/-with one surety in the like sum, to the satisfaction of the Investigating Officer/S.H.O of the concerned police station, with the directions:-

1. That the applicant shall not leave the country without prior permission of the court,

2. He shall not tamper with the prosecution evidence even to the slightest,
 3. He shall render every possible help during the investigation as and when called upon,
 4. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
6. He shall make compliance of the provisions enshrined under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The bail application is accordingly allowed. Copy of order be sent to the concerned police station for compliance. Police record has been returned. File be consigned to the record room.

Announced:
27.11.2024

(H.S. Grewal)
Sessions Judge, Mansa
(UID No.PB0081)

Sukhwinder Singh SG-II

CNR No.PBMN010044812024

BA/1598/2024

Manjeet Singh alias Gurpreet Singh Bachi Vs. State

Present: Shri G.S. Mann, Advocate, counsel for the applicant-accused.
Shri Harpreet Singh Manshahia, Additional Public Prosecutor
for the State.

Record has been produced by ASI Gurcharan Singh.

Arguments heard. Vide separate detailed order of even date, the bail application has been allowed as detailed therein. Copy of order be sent to the concerned police station for compliance. File be consigned to the record room.

Announced:
27.11.2024

(H.S. Grewal)
Sessions Judge, Mansa
(UID No.PB0081)

Sukhwinder Singh SG-II