

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

CRM-M-30709-2015

Date of decision: 22.09.2015

Surinder Pal Singla

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. H.S. Brar, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

Mr. Rajinder Singla, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.48 dated 10.07.2015 under Sections 420, 120-B of the Indian Penal Code ('IPC' for short), registered at Police Station City Budhlada, District Mansa.

Learned counsel for the petitioner submits that it was a dispute of civil nature. Incident took place because of the business transaction between the parties. In this view of the matter, offence under Section 420 IPC would not be made out against the petitioner. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Darshan Singh, Police Station City Budhlada, Jalandhar, submits that since the allegations against the petitioner are direct and serious, he is not entitled for bail pending trial. Learned counsel for the complainant also opposes the present petition seeking dismissal thereof.

Having heard the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that in the given fact situation obtaining in the present case, petitioner has been found entitled for bail pending trial. It is so said because incident took place during the course of business between both the parties. In such a situation, it will be a debatable issue before the learned trial Court, whether any offence under Section 420 IPC, as a matter of fact, would be made out against the petitioner or not. Further, since the prosecution evidence is yet to start, conclusion of trial will take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

22.09.2015
vishnu