

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

CRM-M No.32236 of 2015 (O&M)

Date of decision: 19th November, 2015

Harpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Paramjit Batta, Advocate for
Mr. S.K. Malik, Advocate
for the petitioner.

Mr. J.S. Brar, Asstt. Advocate General, Punjab.

FATEH DEEP SINGH, J. (ORAL)

By way of this petition filed under Section 439 Cr.P.C. petitioner Harpal Singh is seeking regular bail in case FIR No.12 dated 18.10.2014 registered at Police Station NRI, SAS Nagar (Mohali) under Sections 406/419/420/465/467/468/471/120-B IPC.

It is inter alia argued that the petitioner Harpal Singh who is a real estate agent, has only signed as a witness to the agreement in question and that similarly placed co-accused Avinash Mittal has been allowed regular bail vide order of this Court dated 20.08.2015 and that the petitioner is in custody since 12.12.2004.

Though the bail application is stoutly opposed by learned State counsel contending that the petitioner has committed a heinous crime and has defrauded the complainant; however, having regard to the incarceration already undergone by the petitioner, in the light of principle of parity and the fact that culpability if any shall be determined at the time of trial, impels this Court to allow the prayer made in this petition. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 19, 2015
rps