

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M No.3548 of 2015

Date of Decision:11.02.2015

Baljit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

**Present: Mr.Rajesh Bhatheja, Advocate,
for the petitioner.**

**Mr.Jaspreet Singh Sekhon, Assistant Advocate General,
Punjab, for the respondent-State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of concession of regular bail, in a case registered against him along with his other co-accused, namely, Nirmal Singh, Dev Raj, Karnail Singh and Sukhjit Singh etc., vide FIR No.2 dated 21.01.2014, on accusation of having committed the offences punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, by the police of Police Station NRI, Moga.

2. Notice of the petition was issued to the State.

3. Having heard the learned counsel for the parties, having gone through the record with their valuable assistance and after bestowal of thoughts over the entire matter, to my mind, the present petition for regular bail deserves to be accepted in this context.

4. Concisely, the prosecution, *inter alia*, claimed that the petitioner and his other co-accused have hatched a criminal conspiracy

and alienated the plot of one kanal of complainant-Paramjit Singh to their co-accused Kishori Lal. It is not a matter of dispute that, neither the name of the petitioner is mentioned nor any specific role or particular part is attributed to him in the FIR. He was subsequently involved in this case in the wake of application moved by his co-accused Gurjant Singh. Even, the petitioner is not the beneficiary, in any manner, from the alleged sale-deed. The main beneficiary Kishori Lal has already been granted the concession of regular bail, by way of order dated 04.02.2014 by the Additional Sessions Judge.

5. Moreover, the petitioner was arrested in this case on 05.01.2015. Since then he is in judicial custody and no useful purpose would be served to further detain him in jail. There is no history of his previous involvement in any other criminal case. Otherwise also, all the offences alleged against the accused are triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report(challan) against the petitioner, so, the conclusion of trial will naturally take a long time.

6. Not only that, Nirmal Singh, Dev Raj and Karnail Singh, similarly situated co-accused of the petitioner, were granted the concession of regular bail, by means of order dated 15.05.2014 in main CRM-M No.7011 of 2014 and order dated 28.05.2014 in CRM-M No.16129 of 2014, Annexures P-2 & P-4, respectively. Similarly, Sukhjit Singh, other accused of the petitioner, was allowed anticipatory bail by virtue of order dated 31.07.2014 in CRM-M No.17355 of 2014, Annexure P-3, by this Court. Therefore, I see no reason not to extend

the concession of regular bail to the present petitioner as well under the similar set of circumstances.

7. In the light of aforesaid reasons, taking into consideration the peculiar facts & the special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial of the main case, the instant petition for regular bail is hereby accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate, Moga.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail.

February 11, 2015
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(MEHINDER SINGH SULLAR)
JUDGE