

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

CRM No.M-4882 of 2015

Date of decision: 18.02.2015

Arjan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Satnam Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.77, dated 12.09.2014, registered under Sections 420, 467, 471 of the Indian Penal Code (for short 'IPC'), at Police Station Bhaini Mian Khan, District Gurdaspur.

The learned counsel contends that the petitioner and the complainants being good friends were on visiting terms. The petitioner never issued cheques bearing Nos. 861689 and 861684. It is magisterial trial. He refers to the FIR, wherein the complainant has specifically stated that the entire amount was entrusted to Gurmit

Singh and his wife Rajwinder Kaur, the main accused, who stands exonerated by the investigating agency. The petitioner is in custody since 28.11.2014.

On the other hand, the learned State counsel opposes the prayer and submits that the two cheques issued by the petitioner stands bounced. The petitioner is involved in another similar FIR, however, she admits that he is on bail in the other FIR. The challan stands presented but no PW has been examined so far.

Considering the facts that the allegations are primarily against Gurmit Singh and his wife Rajwinder Kaur; the petitioner is in custody since 28.11.2014 and it being a magisterial trial, the challan stands presented but no witness has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail, on his furnishing bail/surety bonds to the satisfaction of the trial Court.

18.02.2015

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(JITENDRA CHAUHAN)
JUDGE