

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2574 of 2016 (O&M)

Date of Decision: 29.01.2016

Chaman Lal @ Surinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Liaqat Ali, Advocate for the petitioner.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.98 dated 20.8.2013 under sections 419, 420, 465, 466, 467, 471, 477-A, 120-B I.P.C registered at Police Station, Mehatpur, District Jalandhar.

Learned counsel for the parties have been heard.

Prosecution version in brief is that the present petitioner along with other co-accused including Jarnail Singh had availed of a loan from the bank in the year 2011 and which had been sanctioned after due verification of the revenue record, attested by the Patwari and validity having been acknowledged by even one Ashok Kumar Mahendru i.e. Panel Advocate of the bank. Allegations in a nutshell are that the petitioner was not the owner of the property in question and as such, a criminal conspiracy had been hatched along with other co-accused including the revenue official.

Petitioner has been in custody since 2.9.2013.

It has gone uncontroverted that co-accused Jarnail Singh, who was identically situated as the present petitioner, has been granted benefit of

bail in terms of order dated 30.10.2015, passed by this Court in CRM No. M-36052 of 2015. That apart, even the revenue official concerned i.e. Patwari namely Joginder Lal has been granted concession of bail by this Court vide order dated 23.4.2015 passed in CRM No. M-6247 of 2015.

Learned State counsel upon instructions from ASI Baljit Singh would apprise the Court that even though challan has been presented but till date charges have not been framed.

In view of the above and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the concession of bail. Present petition is, accordingly, allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jalandhar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.01.2016

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