

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-28644 of 2016

Date of Decision: 06.09.2016

Darshan Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.21 dated 8.2.2016 under Sections 406 and 420 of the Indian Penal Code, 1860 registered at Police Station Navi Baradari, Jalandhar.

Learned counsel for the petitioner contends that the petitioner is in custody since 31.5.2016 and investigation in the case is complete and challan has been presented. He further states that the cheque in question was issued in the name of M/s Avalon Immigration and the same was not handed over to the petitioner. Moreover, the petitioner is neither a director nor holding any position in the said company. Rather, the son of the

petitioner namely Randip Singh and his wife Harpreet Kaur are the directors in the said company.

Learned State counsel has filed the custody of the petitioner in Court and does not dispute the fact that the cheque in question was issued in the name of the company. However, he submits that no doubt, the petitioner is not the director of the company at the time when the cheque was entrusted to the son of the petitioner, but the said payment was made in the presence of the petitioner.

I have heard learned counsel for the parties.

The petitioner is in custody since 31.5.2016. He is neither any director of the said company nor cheque in question was issued in his name. Therefore, taking into consideration the fact that the trial will take sufficiently long time, no useful purpose would be served to keep the petitioner in custody. Accordingly, the present petition is allowed and petitioner is admitted on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

September 06, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No