

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4222 of 2015 (O&M)

Date of Decision: 15.02.2016

Baldev Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. K.D. Sachdeva, Addl. A.G., Punjab.

Mr. L.S. Sidhu, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-4222 of 2015 (Baldev Singh Vs. State of Punjab) and CRM No. M-18526 of 2015 (Gurdeep Singh Vs. State of Punjab) as the petitioners in both these connected petitions filed under Section 439 Cr.P.C seek the benefit of regular bail in case F.I.R. No.130 dated 9.12.2014 under sections 420, 465, 467, 468, 471, 120-B I.P.C registered at Police Station, City-2, District Mansa.

Learned counsel for the parties have been heard.

In a nutshell allegations against the petitioners are that they along with other co-accused have cheated the complainant of an amount of Rs.32 lacs approximately and thereafter sale deed was executed on the basis of a fake Power of Attorney.

In so far as Baldev Singh petitioner in CRM No. M-4222 of 2015 is concerned, the accusation is of being in conspiracy with the other co-accused. He is not stated to be a beneficiary of the transaction. Baldev Singh has been in custody since 12.12.2014. He is not stated to be even the signatory to the alleged fake Power of Attorney.

Gurdeep Singh i.e. petitioner in CRM No. M-18526 of 2015 is in custody since 7.3.2015. Allegations are with regard to impersonation as regards the Power of Attorney. Such allegations would be a matter of trial and to be considered after appreciation of evidence.

Investigation in the case is complete and the challan stands presented. Even the charges have been framed, although, prosecution evidence is still to be led. The trial, as such, would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioners, both these petitions are allowed. Petitioners be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Mansa.

Petitions disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

15.02.2016
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