

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

CRM No.M-43675 of 2015 (O&M)

Date of decision:04.04.2016

Sukhpal Singh Bhandari

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Ram Pal Verma, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.41, dated 08.06.2011, under Sections 420/406 IPC, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

FIR came to be registered on the complaint of Balwinder Singh and Deepinder Singh on the accusations that a sum of Rs.85 lacs have been entrusted to the present petitioner and co-accused Inderjit Singh and Maninder Kaur on the promise that such amount would be duly invested and doubled in a short period of time. Allegations in a nutshell are with regard to fraud, cheating and misappropriation of money.

Concededly, the petitioner having evaded the process of law was declared a proclaimed offender. He was thereafter arrested on 26.06.2015.

Investigation in the case is complete and the challan has been presented on 03.09.2015.

The offences are triable by the Court of Magistrate.

Co-accused, Maninder Kaur and against whom there were identical allegations has been granted benefit of regular bail in the light of order dated 21.06.2014 passed by the learned Judicial Magistrate 1st Class, Sri Muktsar Sahib.

It may be apposite to notice that as per statement of the complainants which led to the registration of the FIR, there are no details forthcoming with regard to the source of such heavy amount that was allegedly entrusted to the petitioner as also co-accused. Even learned State counsel, who is upon instructions from ASI Kuldeep Singh would concede that there were no receipts in possession of the complainant.

Keeping in view the length of incarceration already suffered by the petitioner and coupled with the fact that the trial is still at the very initial stage and would take time to conclude, the petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sri Muktsar Sahib.

It is clarified that the observations made in this order are confined only as regards considering the prayer of the petitioner for grant of bail and would have no bearings on the merits of the case.

Disposed of.

04.04.2016
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE