

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

**CRM-M No.4588 of 2016 (O&M)
Date of Decision: 15.02.2016**

Harjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. C.M.Munjal, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Chanan Singh.

Mr. Satwant Singh Ranghi, Advocate and
Mr. Sahil Arora, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.129 dated 21.12.2015, under Sections 306/34 of the Indian Penal Code, registered with Police Station Arniwala, District Fazilka.

As per the allegations levelled by the complainant-Harpreet Kaur, her husband Nirvail Singh had raised a loan of Rs.5/6 Lacs from a Commission Agent, run by the father-son duo i.e. present petitioner/accused-Harjit Singh and co-accused son Amritpal Singh @ Vicky. Although towards repayment, a sale deed of land measuring 1 Kanal 4 Marlas was executed by Nirvail Singh in favour of Amritpal Singh. Still, the blank cheque offered as a guarantee towards the other transactions was misused by filing a complaint under Section 138 of the Negotiable Instruments Act for reclaiming part of the loan, already paid. Due to persistent harassment, the husband Nirvail Singh consumed poison and committed suicide.

Learned Counsel for the petitioner further contended that since deceased had taken loan from the petitioner and to discharge that liability, he had executed a sale deed qua agriculture land measuring 1 Kanal 4 Marlas and the remaining payment through a cheque for a sum of Rs.3 lacs. On presentation of the cheque, it was dishonoured. Thus, it is argued that no offence against petitioner is made out. That apart, the petitioner is stated to be in custody since 07.01.2016 and investigations qua him are over.

Learned State Counsel, assisted by H.C. Chanan Singh, does not dispute the custody period and that the investigations qua the petitioner are over.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

February 15, 2016
Gagan

(JASWANT SINGH)
JUDGE