

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

CRM No.M-6937 of 2016 (O&M)

Date of decision : 01.04.2016

Baldev Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Aminder Singh, Advocate for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

Mr. H.S. Randhawa, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.3 dated 27.11.2014, under Sections 420/406/467/468/471/120-B/201 IPC (Sections 192/193/199 IPC added later on), registered at Police Station NRI Sangrur, District Sangrur.

Counsel for the parties have been heard.

Complainant in the present case is Gurjant Singh and allegations are primarily targeted against Tarsem Singh Puri as also Darshan Singh. Apparently, there is a dispute with regard to running of two academies namely Akal Academy and Puri Medical Institute Research Education Technology Society.

Allegations against the present petitioner are in relation to having affixed his signatures as a marginal witness on an alleged lease agreement pertaining to a parcel of land. Concededly, the present petitioner is not a beneficiary of such document. Beneficiary as per

complainant's version would be Darshan Singh co-accused. Undoubtedly, there are allegations that such lease deed even carried the signatures of Gurjant Singh and which are forged.

Present petitioner is stated to be an employee in the Akal Academy and as such, working under the complainant as also co-accused Tarsem Singh Puri who were partners in the setting up of the Academy.

Co-accused Kulwant Singh who was also a marginal witness to the lease deed in question has been granted benefit of bail vide order dated 21.01.2016 in CRM No.M-31861 of 2015.

Learned State counsel as also counsel appearing for the complainant would vehemently oppose the present petition and would contend that the allegations and role assigned to the present petitioner is not completely at par with co-accused Kulwant Singh. Towards such assertion, it has been submitted that the present petitioner has affixed his signatures on yet another document as a marginal witness apart from the lease deed noticed hereinabove and which is also forged. That apart, it has been submitted that the present petitioner was in possession of certain cheques which had been signed by the complainant and which have been got encashed.

Be that as it may, it stands conceded in the same breath that the petitioner is not even a beneficiary under the second document in which he has affixed his signatures as a marginal witness. The allegations furthermore are not with regard to encashment of the

cheques in question and misappropriation of money. To that extent, counsel appearing for the complainant himself fairly states that the money was spent for the running of the academy.

Petitioner has been in custody since 14.08.2015.

Investigation in the case is complete and even challan has been presented. Charges are stated to be framed on 25.03.2016. The trial, as such, would take time to conclude.

Without making any observations on merit, 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, Sangrur.

Disposed of.

01.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**