

CRM No. M-158 of 2017 (O&M)

Date of decision : 15.02.2017

Balbir Singh**...Petitioner****Versus****State of Punjab****...Respondent****CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Varun Sharma, AAG, Punjab.

TEJINDER SINGH DHINDSA, J (Oral).

Petitioner seeks benefit of regular bail pending trial in case FIR No. 197, dated 21.10.2011, under Sections 420/120-B IPC, registered at Police Station Shimlapuri, District Ludhiana.

Counsel for the parties have been heard.

It has gone un-controverted that the petitioner having not joined investigation was declared proclaimed offender on 30.04.2013. However, he was arrested on 14.10.2016 and has been in custody ever since. The allegations are with regard to a sum of Rs. 18 lacs approximately having been misappropriated by the accused party on the pretext of sending son of complainant to a foreign country.

It may be noticed that even as per version of complainant the entrustment of money is to Jaipal and Bablu i.e. sons of the petitioner. Present petitioner was only stated to be present at the spot at the time of handing over sum of money.

The offences are triable by the Court of Magistrate.

Petitioner even though having been declared proclaimed

offender has now faced incarceration since 14.10.2016.

Without making any observations on merits, the present petition is allowed.

Petitioner be enlarged on bail subject to the satisfaction of the trial Court/Duty Magistrate, Ludhiana.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

15.02.2017

Divyanshi