

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

1. CRM-M No.17402 of 2017

Sawaraj Singh

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.18749 of 2017

Gurmeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 28th August, 2017

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. J.S. Bedi, Senior Advocate with
Mr. L.S. Chahal, Advocate and
Mr. Aman Pal, Advocate for the petitioners.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Since both these regular bail applications under Section 439 Cr.P.C. have arisen out of the same very FIR bearing No.217 dated 23.09.2015 under Sections 420/465/467/468/471/120-B IPC pertaining to Police Station Zirakpur, District SAS Nagar, are thus being taken up for disposal together, for the sake of brevity.

Brief allegations, which have remained undisputed by the two sides, are that during the years 2007 to 2011 the principal accused Mittal Brothers had sold dwelling units under the name and style of Surya

Infrastructure and it is alleged that out of these 204 flats, 54 flats on the basis of allotment letters were further sold after obtaining loan from IDBI Bank.

The allegations against the petitioners Sawaraj Singh and Gurmeet Singh are that they were brokers and had secured their commission from the builders.

Contentions of the learned counsel for the petitioners are that there is neither any specific role attributed to the petitioners much less any documentary evidence to that effect and they have only in principle introduced the principal buyers with the owners of the premises and that both the petitioners are behind bars since 06.03.2017 and that nothing is to be recovered from them.

The factual scenario could not be displaced by learned State counsel, who in spite of the specific query by this Court as to the role of the petitioners, could not bring about anything of serious consequence.

Keeping in view the period of detention, what has been canvassed before this Court and without feeling necessity to advert on to the merits of the case, the Court is of the view that further detention of the petitioners is not warranted as the investigations and trial are not likely to conclude in near future as it has been brought to the notice of this Court that the principal accused are still absconding. Accordingly, the petitioners are ordered to be released on regular bail on furnishing

heavy bail bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, SAS Nagar, Mohali.

Both the petitions stand disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 28, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No