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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.41750 of 2017
Date of Decision: 07.12.2017

Karamvir Singh @ Karambir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. K.B.S. Mann, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seeks his release on regular bail in F.I.R. No.100, dated 30.04.2015, under Sections 420/120-B of the Indian Penal Code, registered at Police Station City-1, Abohar, District Fazilka.

2. Seen Custody Certificate of the petitioner, from which it transpires that till date he has undergone imprisonment in excess of one year and ten months. He was not originally named in the F.I.R. The only available material against him is that out of the cheated amount of ₹70,00,000/- (Rupees Seventy Lacs Only), an amount of ₹1,00,000/- (Rupees One Lac Only) was deposited in his Bank account. The principal

accused, namely Manjit Singh, who was specifically named in the F.I.R., and is a challaned co-accused, was already released on bail by the Ld. Court below earlier. It further transpires that the petitioner's application was rejected by the Ld. Additional Sessions Judge, Fazilka, on 01.09.2017, and it was specifically noted in the order that evidence from the prosecution side was yet to commence. Now, after passage of more than three months, it transpires that still the first prosecution witness remains to be examined.

3. In the given circumstances, further detention of the petitioner for an indefinite period is not justified.

4. As such, the present petition is allowed and the petitioner, namely Karamvir Singh @ Karambir Singh son of Manjit Singh, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Ld. Chief Judicial Magistrate concerned.

07.12.2017*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No