

205

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5859 of 2017 (O&M)

Date of Decision: 05.04.2017

Charanjit Singh @ Sukha @ Kalu

.....Petitioner

Vs

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Jupinder Pal Singh Brar, Advocate,
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

CRM No. 10786 of 2017:

For the reasons mentioned in the application, the application is allowed and accompanying document is taken on record subject to all just exceptions.

CRM-M No.5859 of 2017:

Prayer in this petition is for grant of regular bail under

Section 439 Cr.P.C in case bearing FIR No. 83 dated 08.10.2016, under Sections 420, 404 and 34 I.P.C., registered at Police Station S.G.N. Dev TRML Plant Bathinda, District Bathinda.

During the course of arguments, it transpires that payment was allegedly made to the petitioner on 13.09.2016, i.e. ₹ 12,00,000/- (Rupees Twelve Lacs only) in the presence of one friend of the complainant, i.e. Harjot Singh. On 22.09.2016, additional amount of ₹ 6,00,000/- (Rupees Six Lacs only) was also paid in the presence of same witness, i.e. Harjot Singh. Just two days prior to lodging of the present FIR, one more FIR bearing FIR No. 284 dated 06.10.2016, was registered at the instance of Maninder Kaur for the offences under Sections 420, 406 and 120-B I.P.C., who happens to be sister of aforesaid Harjot Singh, wherein Harjot Singh was also cited witness in the said FIR.

Learned State counsel on instructions from Head Constable Malkeet Singh submits that the factum of company

being a registered company could not be verified by the Investigating Officer.

Whether petitioner is a Director of the said R.K. Overseas would be a debatable issue in terms of material on record. Source of amount with the complainant would also remain a debatable note at the time of trial. Challan has been filed.

Since the petitioner is in custody, w.e.f. 18.10.2016 and offence is triable by Magistrate, therefore, I deem it appropriate to grant benefit of regular bail to the petitioner.

Let the petitioner be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 05, 2017
Apurva

(RAJ MOHAN SINGH)
JUDGE

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