

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

**CRL. MISC. No.M-7945 OF 2017 (O&M)
DATE OF DECISION : 21st MARCH, 2017**

Gursharan Singh Kohli alias Gurcharan Singh alias Kholi

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Vikas Bahl, Senior Advocate with
 Mr. Manbir Singh Batth, Advocate for the petitioner.
 Mr. Abhishek Chautala, Asst. Advocate General, Punjab.
 Mr. Manuj Nagrath, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

CRM-7974-2017, CRM-9474-2017 & CRM-9475-2017

The applications are allowed and Annexures P-1 to P-9 are taken on record, subject to all just exceptions.

CRL. MISC. No.M-7945 OF 2017

The petitioners have filed the present petition under Section 482 Cr.P.C. seeking regular bail in FIR No.0365 dated 19.12.2016 registered under Sections 420 IPC at Police Station Focal Point, District Police Commissionerate, in view of compromise.

Heard learned counsel for the rival parties.

The petitioner was arrested on 09.02.2017 and is in jail since then.

Learned State counsel submits that the investigation is going on.

Seen the FIR which was lodged after seven years in respect of the transactions mentioned in the FIR itself. Perusal of the FIR, to my

mind, shows that though the complainant may have a grievance but then looking to the fact that the transactions were made between the parties and the explanation tendered by the complainant for lodging the FIR with reference to Section 15 (5) of the Limitation Act, would not come in the way of the petitioner to be at liberty, during the pendency of the trial.

In my opinion, the petitioner would be entitled to grant of regular bail as the trial will take its own time and the case is triable by the Magistrate.

Learned counsel for the complainant submits that the complainant has to recover huge amount for the transactions as stated in the FIR and submits that the property situated at Delhi in the name of the petitioner may be attached. Liberty is reserved in favour of the complainant to take such steps as available in law.

In the result, I make the following order:

ORDER

- (i) CRL. MISC. No.M-7945 OF 2017 is allowed.
- (ii) Bail to the satisfaction of the learned trial Court/Illaq Magistrate.
- (iii) The petitioner to furnish affidavit before the Court below that he will not leave the country without the permission of the said Court.

21st March, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>No</i>