

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

CRM -M-10888 of 2018 (O&M)

Date of decision: 07.05.2018

Gurtej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

Ms. Sunint Kaur, AAG, Punjab
assisted by ASI Maghar Singh.

Jitendra Chauhan, J. (Oral)

This is third bail petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in FIR No. 28 dated 17.04.2015, registered under Sections 406, 420, 467, 468, 471 and 120-B of IPC, at Police Station Cheema, District Sangrur.

It is contended that the only role attributed to the petitioner is his presence at the time of handing over the amount to co-accused Bhupinder Gupta. The petitioner is involved in another three similar FIRs, wherein one of the FIRs, he has been admitted to bail by this Court in CRM-M-754-2017, vide order dated 02.06.2017 whereas in other two FIRs, the petitioner has been admitted to bail by the trial Court. He further states that after the dismissal of first bail petition on 02.11.2017, the charges have been framed and out of 24 PWs, only 02

PWs have been examined so far. The petitioner is in custody since 16.01. 2016.

On the other hand, the learned State counsel opposes the bail petition and states that a huge amount of Rs.1,03,50,000/- approximately was accepted by the petitioner along with co-accused from the investors on the ground of paying high rate of interest and other incentives. The cheques issued by co-accused Bhupinder Gupta stand dishonoured.

Heard.

Considering the fact that the petitioner has been admitted to bail in remaining similar FIRs; the period of incarceration and filing of challan are fresh circumstances in favour of the petitioner. Moreover, only 02 PWs, out of 24 witnesses have been examined so far. Thus, at this stage, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court. The petitioner shall also surrender his passport before the releasing Court and shall not leave the country without the written permission of this Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

07.05.2018

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No