

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

**CRM-M-20664-2018
Date of decision: 10.10.2018**

Gurmeet Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. J. S. Santwal, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No. 177 dated 26.09.2017, registered under Sections 409, 465, 467, 468 of the IPC (Section 201 IPC added later on) at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioners submits as per the allegations in the FIR, shortage has been pointed during physical verification and petitioner No. 1 was working as a Field Officer and petitioner No. 2 was working as a Salesman with the MARKFED. Learned counsel for the petitioners further submits that the FIR has been registered on the premise that both the petitioners were Incharge of the stocks when the physical verification was done and to show their *bonafide*, the petitioners are ready to deposit a sum of Rs. 5 Lakh each with the trial Court subject to final outcome of the case.

Learned counsel for the petitioners further submits that both the

petitioners were arrested on 23.03.2018 and since the challan stands presented and charges have been framed, the conclusion of the trial will take a long time being a magisterial trial. Learned counsel for the petitioners further submits that the petitioners are not involved in any other case and their custodial interrogation is no more required.

Learned State counsel, on instructions from ASI Bajljinder Singh, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that petitioners are in judicial custody since 23.03.2018; are not involved in any other case; charges have been framed; offences are triable by the Court of a Magistrate and also in view of the fact that both the petitioners have undertaken to deposit a sum of Rs. 5 Lakh each with the trial Court subject to final outcome of the case, the instant petition is allowed. Petitioners Gurmeet Singh and Jora Singh are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Payment of Rs. 5 Lakh each to the trial Court shall be a pre-condition before releasing the petitioners on regular bail.

October 10, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No