

Crl. Misc. No. M-40481 of 2018

Date of Decision: October 03, 2018

Joginder Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. Aman Pal, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 105 dated 09.07.2015 under Sections 420, 120-B IPC registered at Police Station Dugri, Ludhiana City.

According to the allegations in the FIR, the petitioner connived with the main accused namely Anmol and duped the complainant of a sum of about Rs. 17 lacs for the purpose of getting his son admitted to a Veterinary College.

Learned counsel for the petitioner submits that the main accused namely Anmol was granted regular bail vide order dated 19.10.2015 i.e. within three months of the date of the registration of the FIR. The petitioner is alleged to have received a sum of Rs. 1.9 lacs but as per the challan only a sum of Rs. 50,000/- has been deposited in his account. The petitioner has been in custody since 03.12.2017. The investigation is complete and there is no other case registered/pending against the petitioner, thus, the petitioner be released on regular bail.

Learned State counsel opposed the prayer on the ground that the petitioner was present at the time when a sum of Rs. 12.5 lacs was handed over to the main accused namely Anmol. He further submits that the petitioner absconded from the law and was declared as proclaimed offender vide order dated 18.05.2017.

He was arrested seven months later on 03.12.2017.

Keeping in view the fact that the investigation in this case is complete and that there is no other case pending against the petitioner as well as the fact that the main accused has been granted regular bail, I deem it just and appropriate to grant regular bail to the petitioner as well. The fact that he absconded from the law is not very relevant at this stage as after the arrest, the petitioner has remained in custody for more than nine months.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

October 03, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No