

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48171-2017

Date of decision: 16.02.2018

Yadvinder Singh @ Yadvinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gagan Oberoi, Advocate
for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in complaint dated 12.10.2017 under Section 340 Cr.P.C. and Sections 420/465/467/468/471 IPC, pending in the Court of Judicial Magistrate 1st Class, Ludhiana.

Learned counsel for the petitioner submits that the petitioner stood surety to an accused person Rajwinder Singh, who was granted bail by this Court in FIR No.162 dated 03.09.2016 under Sections 379/323/341/506/149 IPC. Later on, the Court of Judicial Magistrate 1st Class, Ludhiana referred a complaint under Section 340 Cr.P.C. to the Chief Judicial Magistrate, Ludhiana on the basis of a verification report submitted by the Patwari of the village regarding a jamabandi produced by the petitioner along with his surety bonds, stating that the same is a fake document.

Learned counsel for the petitioner has further submitted that the petitioner was served with a notice and on the same date, he was arrested and is in judicial lockup since 12.10.2017. It is further submitted that conclusion of the trial in the complaint will take long time and the petitioner is not required for any investigation, as his arrest is made on the basis of a complaint under Section 340 Cr.P.C.

Learned State counsel, on instructions from HC Harjit Singh, has not disputed the factual position, however, opposed the prayer for bail on the ground that the petitioner has produced a forged jamabandi, while furnishing the surety bond of an accused person Rajwinder Singh.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial lockup since 12.10.2017 and conclusion of the inquiry/trial in pursuance to the complaint under Section 340 Cr.P.C. will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the Chief Judicial Magistrate/trial Court/Duty Magistrate, Ludhiana.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

16.02.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No