

CRM-M-51418-2018

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

**CRM-M-51418-2018 (O & M)
Date of Decision: 11.12.2018**

Surinder Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rishabh Gupta, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. K.S.Cheema, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in a complaint case No249 dated 08.08.2016, under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Hoshiarpur.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent No.1-State and respondent No.2 has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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From the record, I find that the petitioner has prayed for bail in a complaint case filed by respondent No.2-Balwinder Singh. The petitioner has been in custody for about two months.

Learned counsel for the petitioner submitted that the petitioner is residing abroad and as per the allegations of complainant in the complaint, power of attorney is taken in foreign country and mother of the petitioner is also residing abroad and if at all, any offence is committed, the same is committed in foreign country, but learned counsel for the petitioner also argued that the complaint is false one and no such offence is committed. It is also the case of petitioner that the complainant is intentionally harassing him so that he may not come from foreign country to look after the properties.

On the other hand, learned counsel for the complainant stated that the petitioner has absented himself from the court proceedings and has been declared proclaimed offender.

Keeping in view the facts and circumstances of the present case and in view of the fact that the petitioner is not required for interrogation, rather he is only to face the trial in a complaint case, I find that no useful purpose will be served by keeping the petitioner in custody. Therefore, finding merit in the present petition, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate and subject to surrender his passport with the trial Court.

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Since the petitioner is an NRI, therefore, trial Court is directed to try to dispose of the case within a period of four months by giving short adjournment and if required, adjourning the case on day to day basis. The compliance report be submitted by the trial Court after four months from today.

11.12.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No