

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Smriti  
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CRM-M-9835-2018

Date of decision: 02.07.2018

Gurdial Singh

.. Petitioner

Vs.

State of Punjab

.. Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Vishal Nehra, Advocate  
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 125 dated 28.07.2015 under Section 420/406 IPC registered at Police Station Garshankar, District Hoshiarpur.

Counsel for the petitioner submits that the petitioner is an old man aged about 65 years and remained in judicial custody from 04.12.2017 to 28.12.2017 and thereafter he was granted interim bail and again thereafter he is in judicial custody since 20.02.2018.

Counsel for the petitioner further submits that the investigation is complete; challan is presented; out of 13 prosecution witnesses, only 03 witnesses have been examined and conclusion of the trial will take long time as the offences are triable by the Court of Magistrate.

The learned State counsel, on instructions from ASI Mohinder Singh and on the basis of affidavit of DSP, Sub-Division Garshankar, District Hoshiarpur, has opposed the prayer of bail on the ground that the petitioner is involved in five other FIRs of similar nature and he is the habitual offender.

In reply, the learned counsel for the petitioner submits that in one of the FIR, the petitioner stands acquitted and in four other FIRs, the petitioner is on bail. He

further submits that the petitioner is ready to deposit an amount of Rs. 2 lakhs with the trial Court, to be paid to the complainant, in case the petitioner is found guilty of the charge.

Without commenting anything upon the merits of the case, considering the age of the petitioner as well as the fact that he is in judicial custody for the last about more than 05 months and the conclusion of the trial will take long time, the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court. This will, however, subject to deposit of an amount of Rs.2 lakhs in the Government Treasury under a head to be nominated by the trial Court and the amount shall remain deposited during the pendency of the trial.

However, it is made clear that the deposit of the amount shall be pre-conditioned for accepting the bail/surety bonds of the petitioner.

Disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

**02.07.2018.**  
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Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No