

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

**Crl. Misc. No.M-9910 of 2018 (O&M)
Date of Decision: May 17, 2018.**

Balhar Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.S. Mehal, Advocate for
Mr. Amit Kashyap, Advocate
for the petitioner (s).

Ms. Monika Jalota , D.A.G., Punjab.

Ms. G.K.Mann, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 18 dated 25.01.2018 registered for the offences punishable under Sections 406, 420, 467, 468, 471 read with Section 120-B of Indian Penal Code at Police Station Division C, District Amritsar.

Heard.

The petitioner was arrested in this case on 27.01.2018. As per allegations in the complaint, he had raised loan of ₹94 lakhs from State Bank of India, Tangara Branch for installation of two green houses. For the loan amount, he mortgaged 44 kanals of his land. However, he showed the

green house already constructed on the land leased to Charanjit Singh, on which the poly houses were constructed by him through Vishal Bhalla (petitioner in CRM-M No. 8821 of 2018).

Learned counsel for the petitioner submits that the police has completed the investigation in this case and presented the challan against petitioner. The entire case is based on documentary evidence and interest of the bank for the loan is duly secured.

Keeping in view the fact that petitioner is in custody since 27.01.2018; the offences are triable by Magistrate and the conclusion of the trial will take considerably long time, the present petition is allowed. Petitioner Balhar Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

May 17, 2018
Jyoti-II

Whether speaking/reasoned: **Yes/No**

Whether Reportable: **Yes/No**