

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

**CRM-M-6893 of 2019**

**Date of Decision: 05.11.2019**

Harpal Singh

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. P.S. Mirpur, Advocate  
for Mr. G.S. Sidhu, Advocate  
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab

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**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. 100 dated 23.10.2016 registered for offences punishable under Sections 420, 465, 467, 471, 120-B and 201 of Indian Penal Code (for short, "IPC") at Police Station Sardulgarh, District Mansa.

Heard.

Learned counsel for the petitioner submits that as per allegations of complainant, a fraud was played with complainant-Bank during advancement of loan of ₹49.20 lakhs in the name of Rajwinder Kaur, wife of the petitioner. The petitioner was a guarantor in that case. Rajwinder Kaur has been allowed anticipatory bail vide order dated 14.05.2018 passed in CRM-M-27749-2017. While allowing bail to her, it was observed that money from the account of Rajwinder Kaur was siphoned off to another joint account held by Palwinder Singh with her and cheques were signed by that person. The petitioner has been in custody since

14.09.2018. After completion of investigation challan against him has already been presented in Court. The case is based on documentary evidence, which cannot be tampered, as such, he may be allowed bail.

Learned State counsel submits that the petitioner was guarantor for the loan advanced to his wife. While furnishing guarantee deed he had produced fake documents before the Bank.

Without expressing any opinion on merits of the case and keeping in view the period of incarceration of petitioner and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Harpal Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

**November 05, 2019**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No