

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-6892 of 2019

Date of Decision: 09.09.2019

Harpal Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pardeep Singh Mirpur, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, A.A.G. Punjab.

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.99 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 State counsel on instructions from ASI Jagraj Singh submits that allegation against the petitioner and co-accused is that on the basis of fake documents Palwinder Singh alongwith petitioner and Nirmal Singh took loan of ₹60 lakhs under Kishan Gold Card Scheme from HDFC Bank, which has not been returned so far. The documents were later on found to be fake. The petitioner was co-loanee.

Learned counsel for the petitioner submits that Palwinder Singh has been released on regular bail. A bank official, Chander Madaan, who was found to be instrumental in advancement of loan, has also been allowed

regular bail. He seeks bail for the petitioner on the ground of parity.

Learned State counsel concedes that all the co-accused in this case have been released on regular bail.

Without expressing any opinion on merits of the case and keeping in view the above facts and applying the principal of parity, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 09, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No