

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-13178-2019 (O&M)

Date of Decision:-1.4.2019

Gurpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Manish Kumar Singla, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

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**GURVINDER SINGH GILL, J.**(Oral)

The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.67 dated 14.9.2018 at Police Station Mulepur, District Fatehgarh Sahib under Sections 406 and 420 Indian Penal Code, 1860.

The FIR was lodged at the instance of Tej Kaur, wherein she has alleged that the accused had taken an amount of ₹20 lacs as loan from her and from other members of her family. It is alleged that the accused had taken an amount of ₹12 lacs as loan from her son and in lieu thereof had furnished four security cheques i.e. one cheque for ₹6 lacs, two cheques for ₹2.5 lacs each and one cheque for ₹1 lac. It is further alleged that the accused took an amount of ₹3 lacs from her daughter-in-law Harpreet Kaur

and had given two cheques of ₹1.5 lacs each. The complainant is stated to have given an amount of ₹5 lacs to the accused, who had executed an pronote in lieu thereof as guarantee. However, despite the complainant having requested for return of the said amount at a later stage, the complainant did not return any amount.

It has further been informed today that all the security cheques, upon presentation, were dishonoured.

The learned counsel for the petitioner has submitted that infact it is a case of civil liability regarding which civil suit for recovery has already been filed by the complainant apart from having filed complaint under Section 138 of Negotiable Instrument Act and in these circumstances, the petitioner deserves the concession of bail.

Opposing the petition, the learned State counsel has submitted that since the complicity of the petitioner is evident from the fact that he had issued cheques in respect of the amount taken as loan, which have since been dishonoured, no case for grant of bail is made out. It has further been informed that the petitioner has been behind bars since the last about three months and that challan has already been presented.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the challan already stands presented and that not even a single prosecution witnesses has been examined so far, although the petitioner has been behind bars since the last about three months, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner Gurpreet Singh is ordered to be released on bail on his

furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

The present petition stands accepted accordingly.

1.4.2019  
pankaj

(Gurvinder Singh Gill)  
Judge

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |