

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

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CRM-M-14867-2019.

Date of Decision: 24.05.2019.

Harjeet Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Preetinder S. Ahluwalia, Advocate for the petitioner.

Mr. Rajat Bansal, Assistant Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner-Harjeet Singh in case F.I.R. No.236 dated 09.10.2017 under Section 420 of the Indian Penal Code, registered at Police Station Sadar Patiala, District Patiala.

Learned counsel representing petitioner contended that the petitioner has been falsely implicated in this case and he is in custody since 12.02.2019. As per best case of the prosecution, a sum of Rs.35,000/- was allegedly cheated by the present petitioner and to show his bonafide, the petitioner has already deposited said amount of Rs.35,000/- with this Court and otherwise, trial is pending with learned Magistrate, after framing of charge and trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel has affirmed that the petitioner is in custody since 12.02.2019, but his previous conduct does not make out a case for bail as he was declared proclaimed offender earlier and total allegations in this case against all the accused persons is for a sum of Rs.5,25,000/-, but allegations against the present petitioner is for a sum of Rs.45,000/- against that petitioner has already paid Rs.10,000/- and the balance amount of Rs.35,000/- has been deposited with this Court.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 12.02.2019 and offence, alleged against the petitioner, is triable by the Court of Magistrate; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Harjeet Singh, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

24.05.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No