

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17404-2019
Date of decision-29.05.2019

Harpreet Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amaninder Preet, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab assisted by
SI Sulekh Chand.

Mr.Jagtar Kureel, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Harpreet Singh has prayed for grant of regular bail in case FIR No.234 dated 22.12.2018 under Sections 406, 420 and 120-B of Indian Penal Code registered at Police Station Phase-I District SAS Nagar, Mohali. The petitioner is in custody since his arrest on 14.02.2019.

The FIR was registered on the statement of Davinder Singh with the allegations that Harpreet Singh (petitioner) along with his wife purchased gold chain from him and a cheque was given. Due to shortage of balance in the account, the same could not be encashed. Upon assurance that he would pay in cash, the cheque was returned to the accused/petitioner. After some days, the accused allegedly made another offer to the complainant for purchase of property i.e.H.L.47-A, Phase-I, Mohali and H-580-A-Phase-I, Mohali for a price of Rs.18,00,000/-. In pursuance to the said transaction, the complainant paid Rs.10 lakhs in different installments.

A total sum of Rs.19,55,000/- was received by the accused. After receiving the amount, accused refused to execute the sale deed in favour of the complainant.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he is in custody since 14.02.2019 and the trial is likely to take some time and no useful purpose would be served in keeping the petitioner behind bars.

On the other hand, learned State counsel, assisted by SI Sulekh Chand and learned counsel for the complainant opposed the bail on the ground that Rs.19,55,000/- has been received by the petitioner who is an Advocate by profession. According to them, petitioner does not deserve the concession of bail. It is apprised that challan in the case has been filed on 30.04.2019.

Considering the above background, nature of the trial, which is triable by Magistrate and stage of the same which is likely to consume more time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court SAS Nagar.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

29.05.2019

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No