

**206-C IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-27728-2019

Date of decision-06.09.2019

Balkar Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amritpal Singh Gill, Advocate for the petitioner.
 Mr. Ramdeep Partap Singh, DAG, Punjab assisted by
 ASI Ashwani.
 Mr. Kulbhushan Soi, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Balkar Singh has prayed for grant of regular bail in case FIR No.254 dated 20.11.2018 registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of Indian Penal Code, 1860 at Police Station Sadar, District Ferozepur. The petitioner is in custody since his arrest on 01.02.2019.

The above said FIR relates to the alleged offence of cheating which was lodged on the basis of statement given by Jagir Singh who had entered into an agreement to sell with Karnail Singh (co-accused) on 10.04.2016. The said deal between the parties was facilitated through co-accused, namely, Balwinder Singh son of Karnail Singh. Pursuant to the said deal, a sum of Rs.84 lacs in all was allegedly paid by complainant and out of it Rs.32 lacs went to the account of Karnail Singh and rest of the amount was allegedly given to other co-accused persons. On these broad allegation, the above FIR was registered.

Learned counsel for the petitioner contends that the petitioner was just a broker between the vendor and vendee and is not beneficiary. According to him, no amount has been received by the petitioner from the complainant. He submits that after completion of investigation final report stands filed before the trial Court.

On the other hand, learned State counsel assisted by ASI Ashwani and learned counsel appearing on behalf of complainant opposed the bail application. Learned counsel for the complainant is unable to give the details of the amount allegedly paid to the accused-Balkar Singh.

It is further apprised by learned State counsel that challan against the petitioner was filed on 03.05.2019 and till date charges have not been framed.

Considering the above background, custody period of the petitioner who is in custody since his arrest on 01.02.2019 and the fact that the trial of the case is likely to consume considerable time, this Court does not find any valid reason to detain the petitioner any further in custody. 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, Ferozepur.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

06.09.2019

vanita

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