

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-35677 OF 2019

DATE OF DECISION: SEPTEMBER 4, 2019

DALWINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. AMIT KUMAR SAINI, ADVOCATE
FOR THE PETITIONER.

MR. HITAN NEHRA, ADDL.A.G., PUNJAB.

MR. ACHIN GUPTA, ADVOCATE
FOR THE COMPLAINANT.

MANOJ BAJAJ, J.(ORAL)

Petitioner-Dalwinder Singh has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.122 dated 3.6.2019 under Sections 420, 120-B IPC, registered at Police Station City Faridkot, District Faridkot. The petitioner is in custody since his arrest on 14.6.2019.

As per the version of the complainant in the FIR, the petitioner alongwith co-accused took ₹45 lakhs from the complainant on the pretext of sending his son abroad, but failed to keep his promise, as neither the complainant's son was sent abroad, nor the amount paid was returned. According to the complainant, the entire amount was paid in cash.

Learned counsel for the petitioner contends that the FIR has been registered on false allegations based on a concocted story. He further contends that the dispute between the parties relates to agreement to sell

dated 5.3.2019 which was executed with the complainant, however, the same did not materialize as the complainant had not come for execution of the sale deed.

Learned counsel for State does not dispute the fact that the offences are triable by Magistrate.

Learned counsel for the complainant has, however, opposed the prayer for grant of regular bail on the ground that the petitioner has duped the complainant of lakhs of rupees and recovery has to be effected from him.

Considering the fact that the offences are triable by Magistrate and the trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression on the merits of the case, the petitioner is admitted to regular bail, subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court, Faridkot.

The petition is allowed.

September 4, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No

