

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

**CRM-M-38003-2019
Decided on : 27.09.2019**

Harnek Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Dinesh Trehan, Advocate
for the petitioner(s).

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 Cr.P.C., in complaint case No. COMI/578 of 2019, dated 01.08.2019, under Sections 420/181/199/200/511 IPC, pending in the Ld. ACJM, Ludhiana.

It has been contended that the petitioner is a senior citizen of 70 years of age and is suffering from old age health issues. The petitioner furnished the surety bonds for the accused in FIR No. 13, dated 08.02.2019, under Sections 379, 411 IPC, P.S. Sarabha Nagar, Ludhiana. Thereafter, the petitioner furnished an affidavit stating that he had never given surety against the property in any other case. However, on verification it was revealed that he had previously given surety of the same property on 04.09.2017 in an another case FIR No. 50, dated 18.05.2005, under Sections 15, 25, 29, 60, 61, 85 of NDPS Act, P.S. Sudhar, as a result of which, complaint dated 01.08.2019 (Annexure P-1) was registered against the petitioner.

Learned counsel for the petitioner submitted that in view of his

old age, it was a *bona fide* mistake on his part as he was unable to recollect that he had already furnished surety against the same property at an earlier date. It has further been prayed that a lenient view be taken as the petitioner has been behind bars since 01.08.2019.

Heard.

Keeping in view the fact that the petitioner is an old age person and he is not involved in any other case, without commenting upon the merits of the case, the present petition is allowed. The petitioner is admitted to regular bail on furnishing of his bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

September 27, 2019

J.Ram

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