

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

220

**CRM-M No. 3789 of 2020
Date of decision:4.2.2020**

SUNIL KUMAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Manav Bajaj, Advocate and
Mr.Tanmay Gupta, Advocate
for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.

Petitioner seeks parity with co-accused Dalwinder Singh, who has been granted regular bail by this Court on 3.2.2020 in CRM-M No.3590 of 2020.

FIR No. 235 dated 30.11.2019 was registered for the offences under Sections 420, 120-B IPC. The offences were enhanced with the addition of Sections 419, 465, 467, 468, 471 IPC at Police Station Bhikhi District Mansa.

The aforesaid FIR was registered at the instance of complainant Buta Singh, who has alleged that the petitioner and others have allured him in the context of advancing loan on lower rate of interest. The accused persons have charged some amount towards advance, file charges, advance

installments and insurance charges. Petitioner was arrested on 30.11.2019 along with co-accused Dalwinder Singh. After police remand, a recovery of Rs.12,000/- and four ATM cards was made from the petitioner.

Regular bail was granted to co-accused Dalwinder Singh on due consideration of fact that the persons to whom the ATM cards belong have not come forward by way of any complaint to the police.

Similar situation arises in the present case as well. Investigation is in progress. Petitioner is in judicial custody. The offence is triable by Magistrate.

The story propounded by the complainant would be debatable as the complainant himself never had any suspicion about the wrong doing around him, despite crossing number of stages.

Learned State counsel, on instructions from ASI Nirmal Singh, admits the aforesaid factual position that the persons like Sachin and Sonu Sharma i.e. holders of ATM card have not come forward to make any formal complaint with the police in respect of their ATM cards.

At this stage, without meaning anything on the merits of the case, it would be just and appropriate to grant regular bail to the petitioner.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the CJM/ Duty Magistrate concerned.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 04, 2020
anita
Whether reasoned/speaking
Whether reportable

(RAJ MOHAN SINGH)
JUDGE
Yes/No
Yes/No