

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

207

**CRM-M-4536-2019
Date of Decision : 21.01.2020**

Gurjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab.

ARUN KUMAR TYAGI, J. (Oral)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.332 dated 25.11.2018 registered under Sections 419, 420, 365, 384, 389 and 120-B of the Indian Penal Code, 1860 at Police Station Derabassi, District SAS Nagar (Mohali).

Learned State Counsel has appeared and opposed the bail application. However, no reply has been filed by the State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. There was undue and unexplained delay of 5 days in lodging of the FIR. No date of giving of amount of Rs.1,00,000/- was mentioned in the FIR. The petitioner is in custody since 25.11.2018. None of the witnesses cited in the list of prosecution witnesses has been examined so far. Trial is likely to take

long time. No purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the petitioner along with his co-accused by falsely personating as member of STF cheated the complainant and dishonestly induced him to pay amount of Rs.1,00,000/-. In view of the gravity of the accusation, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, all the offences alleged to have been committed by the petitioner being triable by Judicial Magistrate Ist Class and the fact that trial is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

21.01.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No