

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

**CRM-M No.14327 of 2020 (O&M)
Decided on: 24.06.2020**

Gurwant Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sukhmeet Singh, Advocate
for the petitioner (through video conferencing)

Mr. Ramdeep Partap Singh, DAG, Punjab.
(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.180 dated 31.07.2019, for offence punishable under Sections 420, 465, 467, 468, 120-B of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station City Faridkot, District Faridkot.

Counsel for the petitioner has argued that the petitioner is in custody since 10.02.2020 and the offences are triable by the Court of Magistrate and the challan has already been presented. It is further submitted that with regard to the property in dispute, the complainant has filed a suit for possession for recovery of the amount against the petitioner and others and in that case, the trial Court has already passed an order of injunction on 16.08.2019 and therefore, the dispute inter se parties primarily is of civil nature.

Counsel for the State, on telephonic instructions from ASI

Gurbax Singh, has, however, argued that an application has been filed before the trial Court for comparison of the signatures of the petitioner and the same is pending consideration.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 10.02.2020; the offences are triable by the Court of Magistrate; challan stands presented; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it is made clear that in case the petitioner is found involved threatening any of the remaining prosecution witnesses or tried to influence them, in any manner then, it will be open for the prosecution to apply for cancellation of bail of the petitioner.

24.06.2020	(ARVIND SINGH SANGWAN)
<i>yakub</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No