

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

CRM-M No.34304 of 2020

Date of decision : November 02, 2020

Sankalap Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Amandeep Singh Manaise, Advocate for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.34 dated 06.07.2018, registered under Sections 420, 467, 468, 471 and 120-B IPC, at Police Station Kotli Surat Malhi, Police District Batala, District Gurdaspur.

It is submitted by learned counsel for the petitioner that the case against the petitioner is totally baseless. Although, there is allegation that the petitioner had taken an amount of Rs.33 lacs from the complainant for sending abroad, however, there is no material collected by the police even during investigation; to show that the petitioner ever received any money from the complainant. It is further submitted that the petitioner has been in custody for more than two years and three months by now. Despite that only six witnesses have been examined so far; out of the 16 witnesses cited in the case. Learned counsel for the petitioner has further submitted that there is no other case against the petitioner.

Notice of motion.

Mr. Ramdeep Pratap Singh, DAG, Punjab accepts notice on behalf of the State.

It is submitted by the learned State counsel that there are specific allegations against the petitioner qua having duped the complainant. However, it is not disputed that the police have not found any documentary evidence to show that any payment was received by the petitioner from the complainant. It is also not disputed that the petitioner has been in custody for more than two years and three months by now; and that only six witnesses have been examined out of total 16 witnesses.

In view the above, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

November 02, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No