

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37263-2020

DATE OF DECISION: NOVEMBER 17, 2020

JOGINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. NEERAJ MADAN, ADVOCATE
FOR THE PETITIONER.

MR. M.S. NAGRA, AAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.168 dated 6.10.2020, under Section 420, 465, 467, 468, 471 IPC, Police Station City Jalalabad, District Fazilka. The petitioner is in custody since his arrest on 7.10.2020.

As per the allegations made in the FIR, the petitioner is alleged to have taken Rs.5 lakhs from the complainant on the pretext of selling the land to him on a forged jamabandi.

Learned counsel for the petitioner contends that the allegations in the FIR relate to the alleged forging of jamabandi of the year 2013 for selling the land to the complainant and receiving a sum of Rs.5 lakhs from him. He contends that a few months before the lodging of the FIR, the complainant had sent a statutory notice under Section 138 Negotiable Instruments Act, 1881 wherein it was mentioned that a sum of Rs.5 lakhs was borrowed by the petitioner from the complainant and while discharging

the said liability through cheque in question, the same was dishonored. According to him, the petitioner has no concern with the jamabandi or the land mentioned therein and has been falsely implicated. He prays for grant of bail.

On the other hand, learned counsel for the State assisted by ASI Bhajan Singh has opposed the aforesaid prayer. He, on instructions, further states that the investigation of the case is complete and presently the petitioner is confined in judicial custody.

After hearing learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is yet to commence. This Court is cognizant of the fact that the outbreak of global pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody 7.10.2020 and his further detention may not be necessary for any useful purpose, therefore, this Court does not find any reason to decline the prayer.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

November 17, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No