

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

Sr. No.202

CRM-M-48227-2019

DECIDED ON: January 07, 2020

SARABJEET SINGH

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioner.

Mr. Munish Dadwal, AAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks regular bail in case FIR No. 93 dated 01.03.2018 registered at Police Station Ambala Cantt, under Sections 420, 467, 468, 471 and 120-B IPC.

The allegations against the petitioner are that he along with his wife defrauded the branch of State Bank of Patiala at Ambala Cantt. of a sum of ₹67.87 lacs by taking a home loan against a property, which was not owned by the vendor thereof.

Learned counsel for the petitioner submits that the petitioner has been in custody for over a year and half. Only 08 PWs have been examined till date out of a total of 25 PWs and thus, the trial is not likely to

be concluded at an early date. The complainant has already been examined and thus, there is no likelihood of the petitioner trying to influence the witnesses. There is no other similar criminal case pending against the petitioner and thus, the petitioner may be granted regular bail.

Custody certificate dated 19.11.2019 prepared by Sh. Vishal Chhibber, DSP, Deputy Superintendent, Central Jail, Ambala, Haryana has been filed by learned State counsel today in Court. The same is taken on record. According to the custody certificate, the petitioner has undergone actual custody of 01 year, 06 months and 06 days as on the date of the certificate. Thus, as on date, the petitioner has undergone actual custody of almost 01 year and 08 months.

Learned State counsel opposes the prayer on the ground that two earlier bail petitions filed by the petitioner have already been dismissed. Further, a large sum of money has been fraudulently obtained by forging documents of title and keeping in view the seriousness of the offence, the petitioner does not deserve the concession of bail. It is also argued that there are three other cases under the Negotiable Instruments Act, 1881 pending against the petitioner, which fact also dis-entitles him from any relief.

Undoubtedly, two earlier bail petitions of the petitioner had been rejected. The first rejection order was passed 05 months after the arrest of the petitioner and the second bail petition was withdrawn. The petitioner has undergone more than one and a half years of custody and the trial is not likely to be concluded at an early date as 17 more PWs have to be examined. Keeping in view the custody period of the petitioner as well as the fact that the complainant has already been examined and there is no

likelihood of interference with the prosecution witnesses, I deem it appropriate to release the petitioner on regular bail. Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

January 07, 2020
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No