

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

CRM-M-11685-2021 (O&M)
Date of Decision:- 19.3.2021

Ram Singh ... Petitioner
Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. H.P.Singh Ishar, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Bhupinder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.309 dated 29.12.2020 under Sections 420/120-B IPC at Police Station Sardulgarh, District Mansa.
2. The FIR was registered at the instance of Jagdev Singh, wherein it is alleged that he had purchased a tractor bearing registration No.PB-31-U-7067 from Resham Singh, who had executed an affidavit in his favour. It is further alleged that the said tractor was, however, financed and some loan was outstanding. The tractor in question had originally been purchased in the name of Sham Singh, relative of Resham Singh, who had sold the tractor to Resham Singh, who further sold the same to the complainant. The complainant alleged that it was agreed amongst the parties that the complainant would pay the balance amount of ₹55,000/- after Resham Singh clears all the outstanding dues of the loan raised at the time of purchasing the tractor. It has been submitted that Resham Singh, however, did not

furnish any loan clearance certificate and as such, it is evident that he had sold the tractor to the complainant with an intention to cheat him. It is further the case of the prosecution that during the course of investigation, it transpires that the petitioner was the mediator through whom the deal had been finalised amongst the complainant and Resham Singh.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the instant case and that he has no role whatsoever with regard to the alleged cheating which, in any case, cannot be said to constitute any criminal offence and in fact is a matter which at best would constitute civil liability only.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner being mediator had played an active role in the transaction, no case for grant of bail is made out. The learned State counsel has, however, informed that the petitioner has been behind bars since the last about 2 months and that investigation stands concluded.
5. Having regard to the nature of allegations and the fact that investigation already stands concluded, further detention of the petitioner will not serve any useful purpose.
6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.3.2021

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No