

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

CRM-M-16641 of 2021

Date of Decision:-05.08.2021

Resham Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(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-31-7067 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 Rs.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.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that in any case, having regard to the nature of allegations and the fact that challan already stands presented and that the other co-accused have already been granted bail, the petitioner deserves the concession of bail on grounds of parity.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is the main accused and has also earlier been involved in two other cases registered for offences under the Excise Act and the NDPS Act, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 3 months and 23 days and challan already stands presented and that charges are yet to be framed.

5. I have considered rival submissions addressed before this Court.

6. Having regard to the fact that challan already stands presented and that the trial is yet to commence, further detention of the petitioner will not serve any useful purpose keeping in view the fact that the conclusion of trial is likely to consume time. Further the fact that the co-accused have

already been granted bail, the petitioner deserves the concession of bail on grounds of parity as well. 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.

August 05, 2021
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

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