

Sr.No.212

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

CRM-M-22152-2021

Date of decision:23.07.2021

Malkit Singh

... Petitioner

versus

State of Punjab

... Respondent

Coram: Hon'ble Mr. Justice Arvind Singh Sangwan

Present: Mr. Jimmy Singla, Advocate
for the petitioner.
Mr. J.P.Ratra, DAG, Punjab.

Through Video Conference

Arvind Singh Sangwan, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.0055 dated 25.05.2019, for offence punishable under Sections 420, 465, 468, 471 of the Indian Penal Code (in short 'IPC'), Sections 467, 201, 120-B of IPC added on, registered at Police Station Khanauri, District Sangrur.

Counsel for the petitioner has submitted that, as per the allegation in the FIR, co-accused Sohan Lal, by posing himself to be a relative of some senior Judge promised the complainant to get her employment on a clerical post and obtained Rs. 2,05,000/- from her. Counsel for the petitioner has submitted that allegation against the petitioner

are that he, in conspiracy with the main accused Sohan Lal, was an instrument in duping the complainant.

Counsel for the petitioner has further submitted that there is no allegation that the petitioner has received any amount. It is also submitted that challan has already been presented, offences are triable by the Court of Magistrate and it will take a long time, for conclusion of trial.

State counsel has, however, submitted that as per the allegation in the FIR and investigation, Malkit Singh-petitioner and the co-accused Sohan Lal have duped number of persons by taking huge amount of more than Rs.31 lakhs.

Counsel for the State has filed the Custody Certificate which is taken on record and has submitted that as per the custody certificate petitioner is in custody for the last more than 08 months and is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he is in judicial custody for the last more than 08 months and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

23rd July, 2021

Shivani Kaushik

[ARVIND SINGH SANGWAN]

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No