

CRM-M-26750-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRM-M-26750-2021 (O&M).
Decided on: July 19, 2021.**

Baljinder Singh

.. Petitioner

VERSUS

The State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Satveer Singh Badal, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.34 dated 16.2.2018, under Sections 406, 420 and 120-B IPC, registered at Police Station Mattaur, District S.A.S. Nagar (Mohali).

Learned counsel for the petitioner has submitted that the allegations against the petitioner is that he had taken money from the complainant on the pretext of sending him abroad and according to the complainant a fraud has been committed by the petitioner. He has further

CRM-M-26750-2021 (O&M)

submitted that besides the merits of the case, petitioner's case be also considered on the ground of his long custody as the petitioner is in custody since 20.2.2019 which is about 2 years and 5 months and only two prosecution witnesses have been examined as on date. He has submitted that no recovery is to be made from the petitioner. He has further submitted that there are about 68 cases against the petitioner out of which the petitioner has already been granted bail in 57 cases. He has referred to Annexures P-4 to P-9 vide which the petitioner has been granted bail considering his long custody. Learned counsel for the petitioner has submitted that conclusion of the trial is likely to take long time and therefore, petitioner be considered for the grant of regular bail.

On the other hand, learned State counsel has submitted that looking at large number of cases pending against the petitioner, he should not be granted the concession of regular bail.

I have heard the learned counsel for the parties.

The pendency of other cases although is a relevant factor however, this can be outweighed by the factum of long custody of the petitioner. The present case is triable by a Magistrate and custody of the petitioner is about 2 years and 5 months and only two prosecution witnesses have been examined. The trial of the case is likely to take a long time and therefore, in the interest of justice, this Court deems it fit and appropriate to admit the petitioner on bail. Consequently, the present petition is allowed. It is ordered that the petitioners shall be released on bail on furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate

CRM-M-26750-2021 (O&M)

concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

July 19, 2021.
raj arora

	(JASGURPREET SINGH PURI)
	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No