

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

224

**CRM-M-26877-2021 (O&M)
Decided on : 22.07.2021**

SARABJIT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Sant Pal, Sidhu Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Daljeet Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the 3rd petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 200, dated 30.12.2020 under Sections 218, 417, 465, 466, 468 and 471 of the IPC registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

On a pointed query put to the learned counsel for the petitioner as to what were the substantial change in circumstances which would warrant entertaining the instant petition, he has drawn the attention of this Court to the FSL report annexed as Annexure P-2, wherein it has been categorically stated that no definite opinion could be given qua the signatures which are the subject matter of the FIR in question.

Learned counsel submits that a supplementary challan has since been filed along with the said FSL report. He submits that in the light of the FSL report, it is only during trial that the authenticity of the allegations levelled against the petitioner would be determined. He further submits that

all the offences except Sections 466 and 468 IPC qua which the report of the FSL has been received areailable. Learned counsel submits that the petitioner has been in custody since 30th December 2020 and there is no likelihood of the trial concluding any time in the near future.

Per contra, learned State on instructions from ASI Daljeet Singh has not been able to controvert the submissions made by the learned counsel with respect to the report of the FSL, which is now part of the supplementary challan.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the ingredients to attract the mischief of Section 466 and 468 IPC would be debatable questions, which would be determined during trial. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 22, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*