

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

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CRM-M-28212-2021

Date of Decision : 22.12.2021

Basant Singh

...Petitioner

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Arun Dulguch, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.18 dated 24.01.2021 under Section 420 of the IPC registered at Police Station City South Moga, District Moga.

Learned counsel for the petitioner submits that in the present FIR, the investigation is already over and the challan has also been presented and as the petitioner is behind the bars since 19.05.2021 and the trial is likely to take some time before it concludes, the petitioner may kindly be granted the benefit of regular bail.

Learned State counsel concedes the factum that the investigation in the present case is already over and the challan has also been presented.

Learned counsel appearing for the complainant submits that the petitioner has defrauded the complainant and though, the challan has

already been presented but, if the petitioner is granted concession of regular bail, he will influence the trial and witnesses and, therefore, the prayer of the petitioner for the grant of regular bail may kindly be rejected.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the investigation is already over and the challan has also been presented and the trial is likely to take some time before it concludes, no useful purpose will be achieved by keeping the petitioner behind the bars during the trial. As far as the apprehension of the complainant that in case the petitioner is granted benefit of regular bail, he will influence the trial and witnesses, learned counsel for the petitioner undertakes that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded, in any manner.

In case of default of the above undertaking or in case any cogent evidence is brought to the notice of this Court that the petitioner is trying to influence the trial or the witnesses, the State and the complainant will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

December 22, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

