

210.

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

CRM-M-29993-2021

Date of Decision : August 12, 2021

GURMEET SINGH ALIAS GOLDY

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amardeep Singh, Advocate,
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in case FIR No.0242 dated 31.12.2019, under Sections 419, 420, 465, 467, 468, 471 and 120-B of Indian Penal Code, 1980 registered at Police Station B-Division, Amritsar, District Amritsar.

Learned counsel for the petitioner contends that the petitioner is in custody since about 4 months and the investigation in the case is already complete and the challan stands presented. He has submitted that so far as the petitioner is concerned, he was not named in the FIR and it was on the basis of disclosure statement that his name was disclosed by the co-accused, namely, Simarjeet Singh, who was Manager, and as per the same, the petitioner had introduced the borrower. So far as the present petitioner is concerned, he is not

in the case is complete, nothing is to be recovered from the petitioner and the trial of the case would take long time and, therefore, he may be granted regular bail. He has further submitted that although there are three more FIRs against him of the same date, but in all those cases, he has been nominated on the basis of disclosure statement which is a weak piece of evidence.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody since almost 4 months and the investigation of the case is already complete and no recovery is to be effected from the petitioner. However, he has submitted that since the petitioner is involved in three more cases, he has opposed the grant of regular bail.

I have heard the learned counsel for the parties.

As per the submissions made by the learned counsel for the parties, the investigation of the case is already complete and the challan stands presented. The petitioner is in custody for about 4 months and so far as the other three cases are concerned, the same were lodged on the same date, on the basis of similar allegation and the petitioner was nominated on the basis of disclosure statement after long gap. The trial of the case would take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail, the petitioner may tamper with any evidence or may influence any witness or may flee from justice.

Therefore, considering the totality of circumstances in the present case, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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

August 12, 2021
Ithlesh

(JASGURPREET SINGH PURI)
JUDGE

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