

220

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

**CRM-M-32079-2021
Date of decision: 01.11.2021**

GURDIAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vijay Lath, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Brijeshwar Singh, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0070 dated 24.02.2018, registered under Sections 419, 420, 467, 468, 471 and 120-B of the IPC at Police Station City Jagraon, District Ludhiana, Punjab.

Learned counsel for the petitioner submits that as per allegations in the FIR registered at the instance of complainant-Sewak Singh, it is stated that Surinder Singh and other accused persons have committed fraud with him by stating that Surinder Singh wants to sell his 09 killas of land as described in the FIR and forced the complainant to enter into an agreement to sell vide which, the earnest money of Rs. 5,00,000/- in cash and Rs.35,00,000/- was paid through cheque and the date fixed for

execution of sale deed was 06.02.2018.

Learned counsel for the petitioner further submits that the complainant later on alleges that in fact by putting an impersonator, a fraud has been committed with him.

Learned counsel for the petitioner further submits that as on today, the petitioner is in judicial custody for the last 08 months and 04 days and he is not involved in any other case and the offences are tribal by the Court of Magistrate.

Learned State counsel assisted by learned counsel for the complainant has opposed the prayer on the ground that the petitioner has entered into a settlement with the complainant and on 20.05.2019, he has even sworn an affidavit that he will pay Rs.24,00,000/- in two installments to the complainant, however, later on backed down and did not made the payment.

Learned State counsel on the basis of affidavit of the Investigating Officer further submits that it has come in the inquiry that the person who appeared as Surinder Singh before the Sub-Registrar, Jagraon is in fact Jagdev Singh s/o Chattar Singh and except the petitioner, all the other accused have already been released on bail and petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions and also in view of a specific stand taken by the Investigating Officer that in fact it was one Jagdev Singh, who impersonated himself as Surinder Singh; petitioner is in judicial custody for the last 08 months and 04 days; he is not involved in any other case and the

offences are tribal by the Court of Magistrate, the instant petition is allowed.

The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

01.11.2021
Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>