

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

(1) CRM-M-29240 of 2020.
Decided on:- March 25, 2021.

Surdev Singh.
.....Petitioner.
Versus
State of Punjab.
.....Respondent.

(2) CRM-M-12733 of 2021.
Sukha.
.....Petitioner.
Versus
State of Punjab.
.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Rahul Arora, Advocate
for the petitioner in CRM-M-29240-2020.

Mr. Amandeep Singh Jawandha, Advocate
for the petitioner in CRM-M-12733-2021.

Mr. H.S. Sitta, A.A.G., Punjab.

Mr. Santosh Kumar Maurya, Advocate for
Mr. Tarun Sharma, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

This order shall dispose of the aforesaid two petitions under
Section 439 Cr.P.C. for grant of regular bail filed by petitioners Surdev Singh
and Sukha, as the same have arisen from common FIR No.3 dated 02.07.2020

under Sections 419, 420, 465, 467, 468, 471, 120-B IPC and Section 201 IPC (added vide order dated 19.03.2021) registered at Police Station NRI Ferozepur, District Ferozepur.

However, for convenience and clarity, the detailed order is being passed in **CRM-M-29240 of 2020** titled as ***Surdev Singh Versus State of Punjab.***

The precise allegations against the petitioners are that petitioner Sukha in connivance with other co-accused including petitioner Surdev Singh impersonated himself as complainant Gurmej Singh Sandhu, who is NRI and is a permanent resident of Canada. Petitioners Surdev Singh and Sukha in connivance with other co-accused forged and fabricated the documents of complainant i.e. Jamabandi of land measuring 20 Kanal owned by the complainant and after mortgaging the land of complainant, the petitioners-accused procured a loan from Canara bank and in this manner, misappropriated an amount of Rs.6,30,000/-.

Learned counsel for the petitioners have submitted that petitioner Surdev Singh is in custody since 17.08.2020, whereas petitioner Sukha is in custody since 06.08.2020. In this manner, the petitioners are in custody for more than 7 months. The offence allegedly committed by the petitioners is triable by Magistrate. Challan in the case has been presented in Court on 03.11.2020 and the conclusion of trial will take sufficient long time.

Learned State counsel has not disputed the custody of the petitioners and the stage of trial.

Mr. Santosh Kumar Maurya, Advocate, proxy counsel for Mr. Tarun Sharma, Advocate has prayed for an adjournment.

I have heard learned counsel for the parties.

Noticing the fact that the offence allegedly committed by the petitioners is triable by Magistrate and the petitioners are in custody for more than 7 months coupled with the fact that the trial is not likely to be concluded in near future and in view of the law laid down by Hon'ble Apex Court in *Sanjay Chandra Versus CBI (2012) 1 SCC 40*, this Court deems it appropriate to grant the concession of regular bail to the petitioners.

Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

It is made clear that the petitioners shall not extend any threat and shall not try to influence any prosecution witness directly or indirectly in any manner during the trial.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

Photocopy of this order be placed on the file of other connected case.

March 25, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No