

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM-M-38288-2021

Date of Decision : November 17, 2021

Sikander Singh

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Swati Verma, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

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.75 dated 02.04.2019 registered under Sections 420 and 120-B of the Indian Penal Code, 1860 at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner submits that the allegations alleged against the petitioner are incorrect as no money has ever been received by the petitioner as being alleged in the FIR. Learned counsel for the petitioner further submits that the allegation is of payment of cash amount of Rs. 2 lacs, which is incorrect and false and the complainant has not been able to prove the same in any manner. Learned counsel for the petitioner further submits that as the investigation is already over and the challan has already been presented and the trial is likely to take some time before it concludes, no useful purpose will be served in keeping the petitioner behind the bars.

Learned counsel for the respondent-State submits that the allegation alleged against the petitioner is not only of receiving the amount in cash but also in the bank account of the relatives of the petitioner, which has already come during the investigation.

Learned counsel for the petitioner rebuts the said claim and submits that even as per the reply filed by the State, the amounts received in the bank account of the stranger, who have been mentioned as a relative of the petitioner, has been paid to the co-accused Bhupinder Singh and not to the petitioner.

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

Once, the investigation is over and the challan has been presented and the allegations alleged against the petitioner are yet to be proved during the trial, no useful purpose will be served in keeping the petitioner behind the bars especially when learned counsel for the petitioner has undertaken before this Court that in case, the petitioner is extended the benefit of regular bail, he will maintain good conduct and not influence the trial or the witnesses in any manner.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the 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.

November 17, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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