

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1031 of 2019 (O&M)

Date of Decision: 19.07.2022.

Balwinder Singh

....Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

Mr. P.S. Paul, Advocate
for the complainant.

AVNEESH JHINGAN J. (ORAL)

This petition is filed for grant of regular bail in FIR No. 157 dated 29.08.2018, under Section 420 of the Indian Penal Code, 1860, registered at Police Station Chamkaur Sahib, District Rupnagar.

As per the case set up, the petitioner entered into an agreement to sell with the complainant party and on non-performance of the agreement to sell, the present FIR was registered. The grievance is that the amount was not refunded, and the cheques issued by the petitioner were dishonoured.

Learned counsel for the petitioner submits that the petitioner is in custody for almost twenty months. The trial is not progressing. No recovery was effected from the petitioner. He further submits that at present an application under Section 319 Cr.P.C., has been filed by the complainant for summoning the co-accused, which is likely to delay the trial.

State counsel opposes the prayer and submit that there are serious

allegations.

Mr. P.S.Paul, Advocate, appears on behalf of the complainant, though not impleaded as party, opposes the prayer for bail and submits that the complainant was duped of their hard earned money, neither they got the land nor the money was returned.

Considering the facts and circumstances in totality, the nature of allegations, the custody period and that the conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be an expression of opinion on the merits of the case.

19.07.2022
rekha sharma

(AVNEESH JHINGAN)
JUDGE

<i>whether reportable</i>	<i>Yes/No</i>
<i>whether speaking/non-speaking</i>	<i>Yes/No</i>