

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2282-2022

DATE OF DECISION: MARCH 22, 2022

HARPREET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. AMIT SINGH SETHI, ADVOCATE FOR THE PETITIONER.
MR. RAMANDEEP SINGH SANDHU, SR.DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.279 dated 4.10.2021, under Section 420, 467, 468, 471, 120-B IPC, Police Station Tripuri Patiala, District Patiala, who is in custody since his arrest on 17.10.2021.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, Patiala, in the order dated 29.11.2021, are as under:-

“Perusal of police file reveals that FIR in this case was registered on the basis of application moved by complainant Kirpal Singh against Harpreet Singh @ Happy, Sarabjeet Kaur, Asgar Khan, Harpreet Singh @ Soni, Gurbinder Singh and Narpinder Singh on the allegations that Sarabjeet Kaur is maternal aunt of the complainant and Harpreet Singh is her son. Under garb of doing business of taxies, accused Harpreet Singh and Sarabjeet Kaur have taken blank stamp papers of the complainant, on the basis of which, Harpreet Singh has sold his Innova Car to Asgar Khan.”

Learned counsel for the petitioner has argued that as per allegations the complainant had given his three vehicles to the accused

persons for doing business of taxis and the accused on the basis of forged affidavit claimed ownership of the same. Learned counsel has drawn the attention of this Court to the orders dated 8.11.2021 (Annexure P-2) whereby co-accused, namely, Sarabjeet Kaur has been granted the concession of regular bail. According to him, the investigation of the case is complete and therefore, the petitioner also deserves the similar concession. He prays for bail.

Learned State counsel assisted by ASI Gian Singh does not dispute this fact that after completion of investigation, the final report stands filed before the Court of competent jurisdiction, however, the trial is yet to commence.

Considering the above background, custody of the petitioner and the nature of offences which are triable by Magistrate, further detention of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody since his arrest on 17.10.2021. The material witnesses are either the complainant or the police officials and at present there does not seem to be any possibility of their being won-over.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

March 22, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No