

In virtual Court

CRM-M-3025-2022

-1-

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

CRM-M-3025-2022 (O&M)

Date of decision: 01.02.2022

Lal Singh Saini and another

... Petitioners

Vs.

U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.D.S. Sukhija, Advocate
for the petitioners.

Mr. Sumit Jain, Addl. PP, U.T. Chandigarh.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.262 dated 29.06.1991 under Section 420 IPC (Section 120-B IPC was added later on), registered at Police Station Central, U.T. Chandigarh.

Learned counsel for the petitioners submits that the allegations pertain to the period 1984-1989 and the FIR was registered in 1991. It is further submitted that primary allegations are against M/s Vishav Kiran Savings and

In virtual Court

CRM-M-3025-2022

-2-

Finance Ltd., Chandigarh, wherein the victims had made certain deposits with an assurance of high return within a period of 05 years and both the petitioners, who were directors of the said Finance Company, were never arrested and were declared proclaimed offenders. It is also submitted that in the present FIR, two challans were presented; in first challan, four persons namely Roshan Lal Saini, Hakam Singh, Ram Karan Saini and Surinder Kumar Arya faced full length trial and vide judgment dated 17.07.2003, the Judicial Magistrate 1st Class, Chandigarh acquitted them, as the prosecution witnesses did not come forward to record their statements and subsequently, another challan was presented, wherein the aforesaid accused persons were convicted, however, the matter was compromised before the first appellate Court and offences were compounded and they were acquitted. Now both the petitioners about 68 years of age and are in custody for the last 03 months and 11 days and it will take long time in conclusion of the trial.

Learned counsel has relied upon the medical certificate of petitioner No.1 Lal Singh Saini, to submit that he is 100% disabled due to paralysis and petitioner No.2 is also facing health related issues.

Learned State counsel has filed the custody certificate dated 01.02.2022 in the Court today. As per this custody certificate, the petitioners are in custody for the last 03 months and 11 days and are not involved in any other case.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions, this

In virtual Court

CRM-M-3025-2022

-3-

petition is allowed and the petitioners are directed to be released on regular bail subject to furnishing their bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

**[ARVIND SINGH SANGWAN]
JUDGE**

01.02.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No