

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

**CRM-M-3780 of 2022
Date of Decision:- 07.04.2022**

Sardool Singh

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Davinder Kumar, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Mr. P.K.S. Phoolka, Advocate appeared in person and made prayer that he is withdrawing his Power of Attorney on behalf of the petitioner. The prayer is accepted.

Today Mr. Davinder Kumar, Advocate has filed Power of attorney on behalf of the petitioner and the same is taken on record.

Prayer is for grant for regular bail to the petitioner in case having FIR No.209 dated 07.12.2021 registered under Sections 420, 465, 467, 468, 471 of IPC, Police Station City-2 Mansa, District Mansa.

The counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case at the instance of complainant-Gamdoor Singh, as earlier both of them were running business in partnership. The counsel further submitted that during the inquiry conducted by the DSP, the petitioner was found innocent. The counsel further submitted that petitioner is in custody for the last more than 3 months and is presently lodged in judicial custody. The counsel further made prayer for grant of regular bail to the petitioner who is aged about 56 years.

The present petition is contested by the State Counsel who submitted that the trial is yet to begin and as such prays for dismissal of the petition.

As per the allegations in the FIR previously complainants namely Gurbaj Singh and Gamdoor Singh were running business in partnership with the present petitioner. There are allegations that petitioner had fraudulently shown them as having stood surety for him in the excise department.

In the present case all the offences are triable by the court of Judicial Magistrate 1st Class. Admittedly, challan has already been presented in the court concerned. As per the custody certificate the petitioner is in custody for the last about 3 months and 17 days and he is also involved in one another case in which he is stated to be on bail. It will take time for conclusion of trial as charges are yet to

be framed. Thus no purpose is going to be served by keeping the petitioner behind the bars for any longer period.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is hereby ordered to be released on regular bail subject to furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned during the pendency of the trial.

07.04.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No