

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

CRM-M-8214-2021

Date of Decision: 14.02.2022

Nirbhay Singh

....Petitioner

VS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Rishu Garg, Advocate  
for the petitioner

Mr. Navdeep Chhabra, DAG Punjab

Mr. Gurveer Singh Sidhu, Advocate  
for the complainant

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**SUDHIR MITTAL, J. (Oral)**

Learned State counsel on instructions submits that evidence of the complainant is over. Five more prosecution witnesses remain to be examined. Next date of hearing is 17.02.2022.

This is the second petition for grant of regular bail in case FIR No. 21 dated 15.04.2019 registered at Police Station Mehal Kalan, District Barnala under Sections 420, 465, 467, 468, 471, 408 IPC.

Learned counsel for the petitioner has submitted that the petitioner has been in custody for almost 2 ½ years. There is no other criminal case pending against him. The trial is not likely to be concluded at an early date and, thus, the petitioner may be granted regular bail despite withdrawal of the earlier bail petition.

Copy of custody certificate dated 26.10.2021 is on record. As on the said date the petitioner had undergone actual custody of 2 years, 1 month and 24

days. As on date another 3 ½ months has elapsed and, accordingly, the petitioner has undergone custody in excess of 2 years and 4 months. There is no other criminal case pending against the petitioner.

As is evident from the statement of the learned State counsel the trial is still no where near completion.

Learned counsel for the complainant submits that according to the FIR the petitioner has cheated a large number of people of a total amount of Rs. 95 lacs. Thus, he is not entitled to grant of regular bail.

The submissions of learned counsel for the parties show that the petitioner is a first offender. He has been in custody for over 2 years and 4 months and the trial is not likely to be concluded at an early date.

Under the circumstances even though there is an allegation that he has cheated people of hefty sum of money, he cannot be confined to prison indefinitely.

The petition is, accordingly, allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

( SUDHIR MITTAL )  
JUDGE

14.02.2022  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |