

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-8436-2022

Date of Decision: 25.5.2022

Kulwant Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. J.K.Sehrawat, Advocate for
Mr. Bhuwan Vats, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.352 dated 30.12.2021 registered for the offences punishable under Sections 419, 420, 465, 467, 468, 471, 120-B IPC at Police Station Phillaur, Jalandhar Rural.

As per allegations in the FIR, complainant-Mohinder Singh gave complaint to Manager, Canara Bank, Branch Ramgarh, Phillaur, District Jalandhar stating that on 14.12.2021, an amount of Rs.6 lakhs was withdrawn from his account by someone without his permission or knowledge. On the basis of the said complaint, concerned Branch Manager got registered the present FIR against the petitioner, Boota Ram and one another unknown person. The present petitioner was arrested on 30.12.2021 and is presently lodged in judicial custody.

Counsel for the petitioner contends that recovery of aforesaid

amount of ₹ 6 lakhs has already been effected during the investigation and on completion of investigation, the police has presented the challan; that co-accused Boota Ram who is also facing similar charges, has already been granted regular bail by the Court of Additional Sessions Judge, Jalandhar vide order dated 1.2.2022 (Annexure P-2) and another co-accused Jagdish Lal has been granted interim bail by this Court vide order dated 13.5.2022 in CRM-M-20588-2022.

State counsel on instructions from ASI Bhupinder Singh admitted the custody period of the petitioner and at the same time, submits that recovery of ₹ 2.5 lakhs was effected from the present petitioner and another ₹ 3.5 lakhs were recovered from co-accused Boota Ram. The fact regarding grant of regular bail to co-accused Boota Ram and grant of interim bail to co-accused Jagdish Lal has not been disputed by the State counsel. Further, the fact regarding presentation of challan has also been admitted by the State counsel.

In view of above, as recoveries have already been effected in the present case and trial is yet to begin, no purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

May 25, 2022

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No