

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

**CRM-M-12568 of 2022
Date of Decision:- 02.05.2022**

Kashmir Singh

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Amardeep Singh Gill, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant for regular bail to the petitioner in case having FIR No.29 dated 11.03.2021 registered under Sections 406, 420, 465, 467, 468, 471, 120-B IPC (Section 409 IPC added later on) at Police Station Division No.1, District Police Commissionerate Jalandhar, Punjab.

In the FIR it has been alleged that the petitioner being vice President and President of 'Old Friends Cooperative Housing Building Society Limited', Vivek Vihar Nandanpur, Maqsudan, Jalandhar, committed certain illegalities by misusing his powers and he sold certain area in the shape of residential plots, whereas actually it has been reserved for some other use.

The counsel for the petitioner submitted that no such illegality as alleged in the FIR was committed by the petitioner. He further submitted that the petitioner has filed CWP No.5906/2021, in which this High Court passed order, Annexure P-7. He further submitted that the petitioner is in custody since 28.01.2022 and is not required by the police for any further investigation. He further submitted that the petitioner who is more than 70 years of age is entitled to grant of regular bail in the present case.

The present petition is contested by the State Counsel who submitted that there are serious allegations appearing on record against the petitioner, who being President of aforesaid Housing Building Society, misused his powers. However, the State counsel admitted the fact that on completion of investigation, challan has been presented in the Court concerned.

I have considered the submissions made by counsel for both the parties. Admittedly, the petitioner is 70 years of age and one writ petition filed by him regarding the management of aforesaid House building society is pending before this High Court, as is evident from Annexure P-7. The police has already presented challan against the petitioner and other accused persons on completion of investigation. The petitioner is in custody since 28.01.2022. It will take time for culmination of the trial which is yet to commence. So, no purpose is going to be served by keeping the petitioner in custody for any longer period.

In view of the above, without expressing 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.

02.05.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No