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

CRM-M-15980-2022

Date of decision:06.05.2022

SURJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Rakesh Sobti, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 of Cr.P.C., wherein the present bail petitioner seeks the indulgence of regular bail.

2. FIR No.214 of 04.11.2020, constitutes therein offences embodied under Sections 420, 467, 468, 471, 34 of IPC, and, is lodged at Police Station City Gurdaspur, District Gurdaspur, therein, the commission of incriminatory offences are attributed to the bail petitioner.

3. The incriminatory role, as becomes assigned to the present bail petitioner, is that he was holding complicity with one, Mohammed, and, also under a false promise made to the victim, both duping him of a sum of Rs.8 lacs. Out of a sum of Rs.8 lacs, a sum of Rs.5 lacs was shared amongst the present bail petitioner, and, one, Mohammed, whereas, a sum of Rs.3 lacs was handed over, in cash, at the airport, by the victim-aggrieved to the above Mohammed. The petitioner is suffering judicial detention since

03.03.2022, and, unless he deposits at least a sum of Rs.1 lac, in the establishment of the learned trial Magistrate concerned, this Court may not become inclined to admit him to regular bail.

4. The learned counsel appearing for the petitioner submits, on instructions given to him, that the bail petitioner is ready to make the afore deposit in the establishment of the learned trial Magistrate concerned, as a pre-condition for his being admitted to regular bail. Obviously the disbursement of the afore sum of money shall be regulated by the outcome of the trial, as becomes entered into by the learned trial Magistrate concerned, and/or, it may be the sums of money wherefrom, can become realized, the victim compensation, as becomes assessed qua the latter after, may be a verdict of conviction, if becomes recorded upon FIR (supra), by the learned trial Magistrate concerned.

5. Given the afore made statement, at the bar, by the learned counsel for the petitioner, and, also when the prosecution, at this stage, has not adduced any evidence, suggestive that in the event of the bail petitioner being admitted to regular bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence, thereupon, this Court does not deem it fit, and, appropriate to prolong the judicial detention of the present bail petitioner, as, thereupon his personal liberty would become unnecessarily fettered, and, curtailed.

6. Therefore, with the condition at paragraph 4 above, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is, subject to his furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial

Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, also his not influencing prosecution witnesses, and, besides his appearing before the trial Court concerned, as and when directed to make his personal appearance unless validly exempted.

7. Copy dasti.

06.05.2022
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(SURESHWAR THAKUR)
JUDGE

Whether speaking/reasoned:-	Yes/No
<i>Whether reportable:</i>	<i>Yes/No</i>