

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

CRM-M-17635-2021 (O&M)

Date of decision : 21.02.2022

Palwinder Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Inder Jeet Singh, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

Mr. Ajiteshwar Singh, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

Heard in virtual mode.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.113 dated 04.11.2019 under Sections 419, 420, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860 (IPC) registered at Police Station City Nakodar, Jalandhar.

Learned counsel for the petitioner would contend that the main accused, namely, Sarabjit Kaur @ Sabbo, has since been granted regular bail by this Court vide order dated 25.02.2021 passed in CRM-M-38553-2020 and even as per the status report, specific allegation against the petitioner is that the petitioner is the signatory of the power of attorney which is allegedly executed by his associate Sarabjit Kaur impersonating as

Usha Rani who is the actual owner of the property. It has further been stated in the status report that the petitioner is only a marginal witness of the sale deeds which were ultimately executed by associates of the petitioner in favour of the complainant.

Learned counsel for the petitioner would further contend that the petitioner has been in custody for a period of one year, two months and ten days and there is no other case pending against the petitioner.

Status report by way of an affidavit of Sh. Navneet Singh Mahal, PPS, Deputy Superintendent of Police, Sub Division Nakodar, Jalandhar has been filed on behalf of the respondent-State.

Heard.

In the present case, as per the status report, the only role attributed to the petitioner is that he is the signatory of the power of attorney which is allegedly executed by his associate Sarabjit Kaur impersonating as Usha Rani and further that he is only a marginal witness of the sale deeds executed by the associates of the petitioner in favour of the complainant. The main accused, namely, Sarabjit Kaur @ Sabbo, has since been granted regular bail by this Court vide order dated 25.02.2021 passed in CRM-M-38553-2020. The petitioner has been in custody for a period of one year, two months and ten days. Though the challan in this case was presented on 27.02.2020, no witnesses have been examined till date.

Keeping in view the totality of the circumstances and the role attributed to the petitioner as also the facts that the petitioner has been in

custody for a period of one year, two months and ten days and that the trial is likely to take some time to conclude, no useful purpose would be served by keeping the petitioner behind the bars any further. Without commenting upon the merits of the case, I deem this to be a fit case for grant of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

21.02.2022

Yogesh Sharma

**(ALKA SARIN)
JUDGE**

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO