

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

CRM-M-18536-2022

Date of decision: 27.05.2022

Sewak Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amaninder Singh Sekhon, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.190 dated 15.11.2020, registered at Police Station Jaitu, District Faridkot, under Sections 420 and 120-B IPC (Section 120-B IPC has been deleted and Section 201 IPC added later on).

Status report by way of affidavit of the Deputy Superintendent of Police, Sub Division Jaitu, District Faridkot, has been filed in the Court today. The same is taken on record.

Learned counsel for the petitioner contends that it was Hakam Singh, who had sold the land to Husandeep Kaur @ Husanpreet Kaur, vide registered sale deed dated 04.03.2020; that the above-noted FIR was registered on the basis of a special power of attorney executed by Hakam Singh to complainant-Gyan Singh; that as per the allegations, Husanpreet Kaur had issued two cheques, amounting to Rs.25,35,000/- against the sale consideration, however, when the said cheques were presented for encashment, the same were dishonoured, and that the petitioner has been in custody since 07.03.2022.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, submits that out of the total sale consideration of Rs.37,35,000/-, an amount of Rs.12 lakh had been paid to Hakam Singh at the time of the registration of the sale deed whereas two cheques issued by the petitioner, when presented for encashment, were dishonoured.

I have heard the learned counsel for the parties.

In the present case, the sale deed was executed in favour of Husandeep Kaur @ Husanpreet Kaur, who has been declared innocent. The petitioner, who is husband of Husandeep Kaur, has been in custody since 07.03.2022. The challan stands presented. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

27.05.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No