

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

CRM-M-34400-2021

Date of Decision: 4th February, 2022

Setal Singh @ Sital Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R.K. Arya, Advocate, for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition is filed for grant of regular bail to the petitioner in FIR No. 57, dated 12th May, 2015, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Rajasansi, District Amritsar Rural.
3. Brief facts of the case are that the petitioner, namely, Setal Singh @ Sital Singh purchased a Indigo Car, bearing Registration No. PB-02-BZ-7445 on 14th February, 2013 by availing a loan of Rs.4,50,000/- from Sri Ram Transport Finance Company. He defaulted in repayment of loan. In connivance with the co-accused Bikramjit Singh, he hatched a conspiracy

and prepared forged affidavit and Form No. 30 for sale of the aforementioned car in favour of the complainant – Niwas Jain. The petitioner owed Rs.2,00,000/- towards complainant for purchase of the cattle feed and he received Rs. 2,50,000/- in cash from the complainant. The petitioner absconded and eventually he was declared proclaimed offender by the Trial Court, vide order dated 5th April, 2019. He was arrested on 3rd April, 2021.

4. Learned counsel for the petitioner submits that there are no allegations against the petitioner and it is the co-accused Bikramjit Singh who cheated the complainant. He further submits that the petitioner is in custody since 3rd April, 2021.

5. Learned State counsel vehemently opposes grant of bail to the petitioner. He submits that the petitioner has been successful in delaying the investigation and trial by almost six years. The conduct of the petitioner shows that there is apprehension of his absconding if released on bail. On instructions from ASI Jitender Singh, learned State counsel submits that out of the nine prosecution witnesses, three have already been examined. The next date of hearing before Trial Court is 15th February, 2022 and efforts would be made to conclude the prosecution evidence at the earliest.

6. I have heard learned counsel for the parties and perused the record.

7. The petitioner availed the loan for purchase of car in question. The car was sold to the complainant by forging documents though in connivance with the co-accused. No further comment is made on the merits

of the case. The petitioner was absconding for more than five and half years.

8. Considering the conduct of petitioner and nature of allegations, no case is made out for grant of bail. Dismissed.

(AVNEESH JHINGAN)
JUDGE

4rd February, 2022

Pk Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**