

**215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-35867-2021 (O&M)****Date of decision : 04.07.2022****Iqbal Singh****....Petitioner****Vs.****State of Punjab****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.33 dated 06.03.2015 under Sections 419 and 420 Indian Penal Code, 1860 registered at Police Station City, South Moga, who is in custody since his arrest on 14.05.2021.

The allegations contained in above FIR, as noticed by the learned Additional Sessions Judge, Moga in the order dated 23.06.2021 are as under:-

“The brief facts of the case, which require consideration for disposal of the present bail application are that present FIR has been lodged on the basis of statement of Karamjit Kaur daughter of Shinder Singh. There are allegations against applicant-accused that he was employed as Chowkidar at Village Gill in Animal Husbandry Department. He used to impersonate himself as CID Inspector and cheated many unemployed persons. He also cheated complainant Karamjit Kaur to the tune of Rs.30,000/-, Attma Nath Singh and Tarsem Nath Singh to the tune of Rs.1,00,000/- each, Pannu Singh to the tune of Rs.1,00,000/- and Satnam Singh to

the tune of Rs.60,000/- under the pretext of getting them employed. Accused could not be arrested. Ultimately, he was declared proclaimed offender on 6.01.2016. Now, applicant-accused has been in custody since 14.05.2021.”

Learned counsel for the petitioner has argued that the FIR was registered on 06.03.2015, but petitioner was never associated in investigation, who was declared proclaimed offender on 06.01.2016 and came to know about this FIR upon his arrest on 14.05.2021. He submits that the alleged offence is triable by Magistrate and though the charges have been framed against him, but no prosecution witness has been examined so far. He further submits that the petitioner is not keeping good health, therefore, he be released on bail.

On the other hand, learned State counsel assisted by ASI Jagsir Singh, while opposing the prayer has not disputed this fact that the investigation is complete and charges were framed against the petitioner on 20.08.2021. He has further produced the medical status of the petitioner filed by way of short affidavit of Rajiv Kumar Arora, PPS, Superintendent, Central Jail, Faridkot, which indicates that on 04.06.2022, petitioner fell sick, who was taken to Jail Hospital and was discharged on 21.06.2022.

After hearing learned counsel for the parties, considering the above background, custody of the petitioner and the fact that the offences are triable by Magistrate, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined

in judicial custody after his arrest on 14.05.2021.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

Since the petitioner has been released on regular bail, therefore, application seeking interim bail is rendered infructuous.

(MANOJ BAJAJ)
JUDGE

04.07.2022

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No