

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-32701-2022

Date of Decision: 2.8.2022

Gurmeet Singh

....Petitioner

VERSUS

U.T., Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S.Mamli, Advocate
for the petitioner.

Mr. Akashdeep Singh, Addl. PP, UT, Chandigarh.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.162 dated 22.8.2008 registered for the offences punishable under Sections 420, 467, 468, 471, 120-B IPC at Police Station Sector 3, Chandigarh.

Counsel for the petitioner submits that the petitioner has been falsely implicated in this case and is in custody for the last more than one month and the offences are triable by the Court of Judicial Magistrate, 1st Class. He further submits that otherwise also, the petitioner is ready to deposit ₹ 1 lakh with the trial Court which the complainant bank can withdraw. He made prayer that the petitioner be released on bail.

Present petition is opposed by the State counsel who submits that there are allegations against the petitioner that he took loan of ₹ 3,19,609/- for purchase of tractor and thereafter, failed to repay the loan

amount and also disposed of the tractor. However, the counsel appearing for the UT, Chandigarh has not refuted the fact that the petitioner is in custody for the last two months.

I have considered the submissions made by the counsel for the parties.

Offences are triable by the Court of Judicial Magistrate, 1st Class and it will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to deposit of ₹ 1 lakh with the trial Court and subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned. The complainant bank will be at liberty to withdraw the aforesaid amount of ₹ 1 lakh to be deposited by the petitioner.

(KARAMJIT SINGH)
JUDGE

August 2, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No