

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

224)

CRM-M-35263 of 2022

Date of Decision:08.09.2022

Kirandeep Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Abhiraj Singh Baweja, Advocate
for the petitioner.

Mr. Kunal Vinayak AAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.0096 dated 07.06.2022, under Sections 406 and 420 of the IPC, registered at Police Station Machhiwara, Police District Khanna.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and as per the allegations the petitioner has taken Rs.5,00,000/- out of the agreed Rs.14,00,000/- from the complainant for providing direct recruitment in police department. He further submitted that it was a case only for the purpose of falsely implicating the petitioner due to some other enmity with the complainant. He submitted that be

that as it may the investigation of the case has already been completed and the present case is triable by the Magistrate and the trial of the case may take long time since the challan has now been presented on 18.08.2022, he may be considered for the grant of regular bail.

The learned counsel for the petitioner has further brought to the notice of this Court that the petitioner is 73% disabled and is also facing psychiatric problem and was rather admitted to psychiatric ward even during his custody period and the dispute in the present case was only a financial dispute pertaining to subject matter of Rs.5,00,000/- and therefore he may be considered for grant of regular bail.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab has stated that it is correct that the petitioner is in custody from 23.06.2022 and after completion of the investigation, challan has already been presented.

I have heard the learned counsel for the parties.

As per the learned counsel for the petitioner, the petitioner is 73% disabled and is facing psychiatric problem because of which he was even admitted to psychiatric ward. The dispute in the present case is a financial dispute pertaining to Rs.5,00,000/- and is triable by the Magistrate. After completion of the investigation, challan has already been presented in the present case.

In view of the aforesaid facts and circumstances, this Court is of the view that the petitioner deserves the concession of regular bail. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expresion of opinion on merits of the case and is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

September 08, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No