

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-38999-2021
Decided on : 12.07.2022

Yashvir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. K. S. Brar, Advocate
for the petitioner.

Mr. R. S. Khaira, AAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 34 dated 04.03.2020 under Sections 420 and 34 of the Indian Penal Code, 1860 and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 registered at Police Station Kartarpur, District Jalandhar Rural.

Learned counsel for the petitioner has submitted that the petitioner has been in custody since 07.07.2020, the challan has already been presented and the investigation is complete and there are as many as 13 prosecution witnesses, out of whom only one has been examined, thus, the trial is likely to take time. It is further submitted that the petitioner is not involved in any other case. It is contended that the entire case is based on documents and the case is triable by the Magistrate and no purpose would be served by keeping the petitioner in

further incarceration.

Learned State counsel, on the other hand, has opposed the present application for regular bail and has placed on the record the custody certificate, as per which the custody period as stated by learned counsel for the petitioner stands reaffirmed.

This Court has heard learned counsel for the parties and has perused the paperbook.

The petitioner has been in custody since 07.07.2020, the challan has already been presented and the investigation is complete and there are as many as 13 prosecution witnesses, out of whom only one has been examined, thus, the trial is likely to take time. The petitioner is not involved in any other case and the case is triable by the Magistrate and since, the entire dispute is based on the documents, thus, no purpose would be served by keeping the petitioner in further incarceration.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to him not being required in any other case.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

It is made clear, in case, the petitioner threatens or influences any witness, it would be open to the State to move an application for cancellation of the present regular bail granted to the petitioner.

(VIKAS BAHL)
JUDGE

July 12th, 2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No