

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

CRM-M-41540-2022

Date of decision: 09.11.2022

Jaspal Singh @ Jassa

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ashok Giri, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.08 dated 22.01.2022, registered at Police Station Kiratpur Sahib, District Rupnagar, under Sections 406 and 420 IPC (Section 201 IPC added later on).

Status report dated 09.11.2022, by way of affidavit of the Deputy Superintendent of Police, Sri Anandpur Sahib, District Rupnagar, filed in the Court today, is taken on record.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case; that the petitioner has been in custody since 24.07.2022; that despite the fact that the petitioner was in police custody, no recovery had been effected from him, and that the co-accused has already been granted the benefit of anticipatory bail. So far as three other cases registered against the petitioner, are concerned, he has been acquitted in one case, however, is facing the trial in two cases.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner has been specifically named in the FIR; that as per the prosecution version, the petitioner opened a company under the name and style of Aulakh Enterprises and had started the business of running a lottery; that the petitioner had allured the complainant and other investors to deposit money with him on the pretext of giving them items such as motor-cycle, car etc., and that the petitioner had neither given the items/gifts to the investors nor returned their money. The petitioner is also involved in other cases.

I have heard the learned counsel for the parties.

No recovery has been effected from the petitioner. Challan has been presented against the petitioner. The petitioner has been in custody since 24.07.2022. Out of 38 prosecution witnesses, none has been examined so far. Trial is unlikely to conclude any time soon. So far as other cases registered against the petitioner, are concerned, he has been acquitted in one case, however, is facing the trial in two cases. Even the co-accused has also been granted the benefit of anticipatory bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

09.11.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No