

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(214)

CRM No. M-51217 of 2021
Date of Decision : 02.03.2022

Gurjeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sumeet Pal Singh Khaira, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. V.P.S. Mithewal, Advocate for
Mr. Vikram Satpal Anand, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 224 dated 31.12.2020, registered under Sections 420, 120-B IPC and Section 24 of Immigration Act at Police Station Koom Kalan, District Ludhiana.

Learned counsel for the petitioner argues that in fact, the allegations which have been alleged against the petitioner are false and further, after the completion of investigation and the framing of charges, even the complainant has been examined and, therefore, as the trial is likely to take some time before it concludes keeping in view the restricted working of the Courts due to pandemic of Covid-19, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period

of trial and, therefore, petitioner may kindly be extended the concession of regular bail.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and Mr. V.P.S. Mithewal, Advocate for Mr. Vikram Satpal Anand, Advocate appears on behalf of the complainant.

Learned State counsel concedes the factum that the investigation is over and out of total 09 witnesses, one witness i.e. the complainant has already been examined.

Learned counsel appearing on behalf of the complainant submits that as the petitioner has defrauded the complainant and had taken money from him, he is guilty of the allegations and, therefore, prayer of the petitioner for the grant of regular bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

This Court is not deciding with regard to the guilt or innocence of the petitioner in the present case. The question is whether, keeping in view the facts and circumstances of this case, the petitioner should be kept behind bars during the entire period of trial or not and whether keeping the petitioner behind bars any further will serve any purpose or not.

As the complainant has already been examined and the trial is likely to take some time to conclude for the reason that only one witness i.e. the complainant has been examined out of the total 9 witnesses cited and the Courts are working in a restrictive manner due to pandemic of Covid-19 coupled with the fact that learned counsel for the petitioner has undertaken

before this Court that petitioner will maintain a good conduct and will not influence the witnesses or the trial in any manner, in case he is granted the concession of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

March 02, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No