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

**CRM-M-47240-2022
Date of Decision: 20.12.2022**

Harjinder Singh Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Aminder Singh, Advocate
for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.216 dated 16.10.2021, under Sections 420 & 406 IPC, registered at Police Station Bhawanigarh, District Sangrur.

It has been submitted by learned counsel for the petitioner that the dispute in the present case was purely a financial dispute between the parties which has been given a criminal flavour. He further submitted that the petitioner is in custody since 02.06.2022, which is more than 6½ months. He also submitted that the police has already completed the investigation and thereafter, challan has also been presented before the competent Court and it is a case which is triable by the Magistrate and the

trial of the case may take long time, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Jashandeep Singh, learned AAG, Punjab has stated that it is correct that the petitioner is in custody since 02.06.2022 and challan has already been presented before the competent Court and the present case is triable by the Magistrate. He has however submitted that the petitioner is involved in one more case pertaining to Section 420 IPC.

I have heard the learned counsel for the parties.

It is a case which is triable by the Magistrate and the police has already completed the investigation. The dispute is with regard to sale and purchase of combine and the trial of the case may take long time. The mere fact that the petitioner is involved in one more case under Section 420 IPC cannot disentitle him for grant of regular bail. Apart from the same, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence. Therefore, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the

purpose of decision of present petition.

20.12.2022

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |