

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(247)

CRM-M-52754-2021 (O&M)

Date of Decision : March 02, 2022

Sukhdeep Singh Brar @ Baroni Brar

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Navjinder Singh Sidhu, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Rajat Dogra, Advocate, for
Mr. K.S. Brar, Advocate, for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.101 dated 20.07.2017 registered under Sections 420 and 406 of the IPC, 1860 (Sections 467, 468 and 471 IPC added later on) at Police Station Jaito, District Faridkot.

Learned counsel for the petitioner argues that in the present case, the allegations alleged against the petitioner are totally false and frivolous and in fact, the petitioner has not taken any money as being alleged in the FIR, which fact will be duly proved during the trial. Learned counsel for the petitioner submits that as the investigation is already over and challan has already been presented and out of total 19 witnesses, only

03 have been examined so far and as trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial.

Learned counsel for the respondent-State submits that the allegations alleged against the petitioner are serious in nature though, it is conceded that the investigation is over and out of the total 19 witnesses, only 03 witnesses have already been examined.

Learned counsel for the complainant submits that the complainant has been defrauded by the petitioner and as, the allegations are serious in nature and the complainant has lost money due to the inducement of the petitioner, the petitioner may not be extended the concession of regular bail.

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

The allegations alleged against the petitioner are yet to be proved during the trial. As of now, the challan has already been presented and out of 19 witnesses, 03 have already been examined, hence, the trial is likely to take some time before it concludes keeping in view the restricted working of the Courts due to the pandemic of Covid-19, therefore, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial as learned counsel for the petitioner has undertaken before this Court that in case, the petitioner is extended the concession of regular bail, he will not influence the trial or the witnesses in any manner.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, 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
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No