

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

231

CRM-M-49767 of 2022
Date of Decision:12.12.2022

Satnam Singh Sandhu @ Satnam Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amit Arora, Advocate,
for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

Learned counsel for the petitioner has submitted that the present case was directed to be heard alongwith CRM-M-53578-2022 since both the cases are arising out of the same FIR but the role of the present petitioner (in CRM-M-49767 of 2022) is different from the another petitioner (in CRM-M-53578-2022) and same may be segregated.

In view of the above, the present petition is segregated from CRM-M-53578-2022.

CRM-M-49767 of 2022

The present petition has been filed under Section 439 of the Code of

Criminal Procedure for the grant of regular bail to the petitioner in FIR No.0102 dated 06.09.2022, under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Mataur, District SAS Nagar.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 06.09.2022 and the investigation of the case has been completed and thereafter the report under Section 173 of the Code of Criminal Procedure has already been submitted to the competent Court. He submitted that it is a case where the allegations in the FIR were pertaining to three properties and the role attributable to the petitioner was that he was only a property dealer and had introduced the parties for the purpose of agreement to sell. He submitted that no amount of money has been transferred in the name of the petitioner nor he was the beneficiary. Since there was only execution of agreement to sell and the same was not honoured and the dispute arose after the agreement to sell but prior to the date of execution of the sale deed. He submitted that so far as one property pertaining to 29 acres of land is concerned, the owner of the property was Gurinderpal Singh and he had given a power of attorney in the name of a co-accused namely Vikramjit Singh @ Bikramjit Singh who took an amount of Rs.3,25,00,000/- from the complainant namely Bhupinderjit Kaur but thereafter the owner of the property sold the land somewhere else and ultimately a dispute arose between them but later the same was settled and the co-accused Vikramjit Singh @ Bikramjit Singh provided for an alternate piece of land to the complainant of an equivalent amount and even as per the police investigation, the aforesaid complainant got satisfied with the same. The aforesaid Vikramjit Singh @ Bikramjit Singh has already been granted interim anticipatory bail by this Court in

CRM-M-54195 of 2022 and so far as the present petitioner is concerned, he was only a person who had introduced Vikramjit Singh @ Bikramjit Singh. He further submitted that so far as the other property is concerned, again he had not received any amount and now the investigation of the case has been completed and the present is a case which is triable by the Magistrate and therefore the petitioner may be considered for the grant of regular bail

On the other hand, Mr. Jashandeep Singh, learned AAG, Punjab has stated, on instructions from the police official who is present in the Court, that it is correct that the petitioner is in custody from 06.09.2022 and the investigation of the case has been completed and the present case is triable by the Magistrate. He further submitted that it is also correct that the co-accused namely Vikramjit Singh @ Bikramjit Singh has already been granted interim anticipatory bail by this Court. He has however opposed the grant of bail to the petitioner on the ground that the petitioner is involved in one more case under Section 420 IPC.

I have heard the learned counsel for the parties.

The petitioner is stated to be in custody from 06.09.2022 and the police has completed the investigation and the challan has already been presented to the competent Court and the present case is triable by the Magistrate. The mere fact that the petitioner is involved in one more case under Section 420 IPC cannot disentitle the petitioner for grant of regular bail and the trial of the case may take long time.

In view of the aforesaid facts and circumstances, the present petition is allowed. The petitioner shall be released on regular bail if not required in any other case subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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.

(JASGURPREET SINGH PURI)
JUDGE

December 12, 2022
dinesh

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