

CRM-M-22066-2023

-1-

(251)
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22066-2023
Date of Decision: 28.07.2023

SATWINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB & OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Roopak Bansal, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Ms. Snigdha Sood, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.432 dated 26.07.2021 registered under Sections 420, 465, 467, 468, 471, 120-B IPC at Police Station Zirakpur, District SAS Nagar, Mohali.

2. As per the allegations contained in the FIR dated 26.07.2021, a sale deed was registered in the office of Joint Sub Registrar, Zirakpur on 07.07.2021 in which the vendor was one Ajaib Singh son of Harbans Singh and the vendee was one Gurmeet Kaur (granted bail vide order dated 25.07.2022 passed in CRM-M-7555-2022). The cheque pertaining to the sale consideration was not encashed by nobody. On 23.07.2021, the son-in-law of aforesaid Ajaib Singh made a complaint that the aforesaid Ajaib Singh has

already died long ago and someone else had impersonated Ajaib Singh and his property was being sold to Gurmeet Kaur. As per the agreement, the sale consideration was of Rs.40 lacs. Satwinder Singh (petitioner) was the person through whom the sale deed was effected and he was a property dealer.

3. The learned counsel for the petitioner contends that a compromise has been arrived at between the parties on 23.08.2022 and therefore, the petitioner was entitled to the concession of bail.

4. On the other hand, the learned State counsel does not deny the fact that a compromise has been arrived at and that a co-accused Gurmeet Kaur has been granted the concession of anticipatory bail. He, however, states that looking at the serious nature of the allegations, the petitioner was not entitled the concession of bail.

5. The learned counsel for the complainant has placed on record the mutual compromise dated 23.08.3022. The same is taken on record. She contends that she has no objection if the petitioner is granted the concession of bail.

6. I have heard the learned counsel for the parties.

7. Admittedly, one of the co-accused of the petitioner namely, Gurmeet Kaur had been granted the concession of anticipatory bail by this Court vide order dated 25.07.2022 passed in CRM-M-7555-2022. The petitioner is now in custody since 01.03.2023 and a compromise has been arrived at. Therefore, no useful purpose would be served by keeping the petitioner incarcerated further.

CRM-M-22066-2023

-3-

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Satwinder Singh son of Surjeet Singh is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

28.07.2023

JITESH

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