

CRM-M-45890-2022

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

CRM-M-45890-2022

Date of decision:01.08.2023

Yadwinder Singh

...Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. A. G. Punjab.

None for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks regular bail in case FIR No.143 dated 16.06.2022, registered at Police Station Canal Colony, Bathinda, under Sections 420 and 120-B IPC.

2. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that there was no eye-witness to the forgery allegedly committed by the petitioner, and that no independent witness was joined in the investigation. It is further submitted that however as per the report of SIT constituted on the directions of this Court, complainant-Sukhwinder Kaur Aujla and her husband-Ishwar Singh Aujla had obtained Rs.3,49,000/- in their bank account maintained with Oriental Bank of Commerce (now Punjab National Bank), and furthermore, the complainant and her husband had committed cheating with Shubham

CRM-M-45890-2022

Garg, Pankaj Kumar, Gurjeet Singh and Ramandeep Singh and that in order to save herself and her husband, the complainant had tried to shift the burden on rest of the accused persons by sidelining herself.

3. Learned counsel for the petitioner further contends that the petitioner has been in custody since 01.08.2022; that all the aforesaid offences are triable by the Judicial Magistrate Ist Class; that out of 18 prosecution witnesses, only 03 witnesses have been examined till date, and that so far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein.

4. On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith co-accused had induced the complainant to run a branch for sanctioning of loan to the people and that an amount of Rs.10 lakh was collected from the persons, but no loan had been sanctioned by the accused.

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

6. As per the status report dated 29.06.2023 filed by way of affidavit of the Deputy Superintendent of Police, Sub Division City-1 Bathinda, District Bathinda, it was found during investigation that fake emails, ID cards and other documents for training etc. were sent, prepared and handed over by the complainant and her husband and that they had obtained signed blank stamp papers of Rs.1000/- each from Shubham Garg, Pankaj Kumar, Gurjeet Singh and Ramandeep Singh at the time of issuing them job letters.

7. The petitioner has been in custody since 01.08.2022. All the aforesaid offences are triable by the Judicial Magistrate Ist Class. As many

CRM-M-45890-2022

as 15 prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. So far as other cases registered or pending against the petitioner, are concerned, he has been released on bail therein. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

8. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

01.08.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No