

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

CRM-M-47105-2022
Date of Decision:-**21.03.2023**

GURMEET SINGH `

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Amritpal Singh Sohal, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.197 dated 16.12.2021 registered under Sections 420, 409, 465, 467, 468, 471 IPC at Police Station Kathu Nangal District Amritsar.

As per the allegations appearing in the FIR are that the petitioner who has retired as Secretary from Kotli Dhole Shah, Cooperative Agriculture Service Society Ltd. while working in the said Society embezzled the amount belonging to the said Society and its members.

The counsel for the petitioner inter alia contends that the petitioner is aged about 68 years and is in custody for the last more than 1 year and is having no criminal history. The counsel further submits that after completion of investigation challan has been presented and it will take considerable time for the trial to conclude, so prayer is made that the petitioner be granted regular bail.

The instant petition is resisted by the State counsel, who submits that the petitioner embezzled amount of more than Rs.25 lac of the Cooperative Society and its members. However, the State counsel has not disputed the fact that the petitioner who is having no criminal history is in custody for the last more than 1 year and that challan already stands presented against the petitioner but no prosecution witness has been examined after the framing of charges.

I have considered the submissions made by counsel for the parties.

Admittedly all the offences are triable by the Court of Judicial Magistrate Ist Class and the custody of the petitioner comes out to be more than 1 year and he is having no other criminal case. It will take considerable time for the trial to conclude as till date no prosecution witness has been examined.

In view of the above, no purpose is going to be served by keeping the accused behind the bars for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

21.03.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?

Yes / No

Whether reportable?

Yes / No