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112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46326-2023 (O&M)
Date of decision : 14.12.2023

Jaswinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Gourav Jain, Advocate,
for the petitioner.

Mr. C.L.Pawar, Additional Advocate General, Punjab,
for respondent No.1.

Mr. Kanwaljeet Singh, Advocate,
for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.131 dated 11.08.2022, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Division No.2, District Ludhiana.

2. Above FIR was registered on the basis of statement made by one Varinder Kumar with the allegations that petitioner forged the revenue record and sold the property to co-accused.

3. Contends that matter has been amicably settled between the parties i.e. petitioner as well as respondent No.2. Also submits that petitioner is in custody since 27.07.2023 and he is not involved in any other

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case. Further submits that investigation is already complete. Lastly submits that charges are yet to be considered; hence trial will take sufficient long time.

4. Above factual position is duly acknowledged by learned State Counsel.

5. Learned counsel for respondent No2/complainant also acknowledges the factum of compromise.

6. Heard both sides and perused the paper-book.

7. Concededly, as on today, charges are yet to be considered by learned trial Court. It is not the allegation of State that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial, in any manner; thus, further incarceration of the petitioner would not serve any purpose.

8. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. He shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

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12. Pending application(s), if any, shall also stand disposed off.

14.12.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No