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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52406-2023
Date of decision: 15.11.2023

GAGANDEEP SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Lakshay Bector, Advocate for
Ms. Dhanika Singla, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. 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.9 dated 28.01.2023, under Sections 420, 465, 467, 471 and 120-B of the IPC, registered at Police Station Kiratpur Sahib, District Rupnagar, Punjab.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in custody for more than 2 months and present is a case which is triable by Magistrate and qua him challan has already been presented before the competent Court. He further submitted that the allegation in the present case is that the petitioner along with other two co-accused, namely, Balvir Singh and Nazar Singh have fabricated an agreement to sell dated 23.08.2021 pertaining to a land which was owned by the complainant. He also

submitted that the validity and veracity of the aforesaid agreement to sell is already *sub judice* before the Court of Civil Judge, Junior Division, Anandpur Sahib. He further submitted that the present petitioner is exactly at parity with the aforesaid two co-accused, who have already been extended the benefit of regular bail by a Coordinate Bench of this Court vide Annexure P-6 on 29.03.2023 and therefore, the petitioner may also be considered for the grant of regular bail.

3. On the other hand, Mr. Gurdarshan Singh Sidhu, AAG, Punjab submitted that it is correct that the petitioner is in custody for more than 2 months and the petitioner is exactly at parity with the aforesaid two co-accused, who have already been extended the benefit of regular bail by a Coordinate Bench of this Court as aforesaid.

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

5. The petitioner is in custody for more than 2 months and the present is a case which is triable by Magistrate. The petitioner is stated to be exactly at parity with the aforesaid two co-accused, who have already been extended the benefit of regular bail by a Coordinate Bench of this Court vide Annexure P-6.

6. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, 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 bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

15.11.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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