

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-57226-2022 (O&M)

Date of decision: 01.02.2023

**Amrinder Singh Gill @ Ravinder Singh Panesar @ Joginder Singh Tony
@ Nirmaljit Singh son of Teja Singh @ Subhash Chander @ Gobind Singh**

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kunal Choksi, Advocate for the petitioner.

Mr. Ajit Singh Natt, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

On oral request made by learned counsel for the petitioner, main case is taken up for final disposal today itself.

Prayer in this 3rd petition is for grant of regular bail in FIR No.15 dated 17.07.2014 under Sections 419, 420, 465, 467, 468, 471, 473, 120-B IPC, registered at Police Station NRI, District Ludhiana City; earlier two petitions were dismissed as withdrawn on 17.11.2020 and 30.07.2021.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner impersonated himself as Ravinder Singh Panesar and sold a plot to one Amarjit Gandhi by forging the document. It is further submitted that challan was presented on 21.10.2014 and thereafter, the petitioner was released on bail, however, he absented from the Court

proceedings and was declared proclaimed offender on 26.07.2016 and was again arrested and released on bail on 25.05.2017. It is also submitted that the petitioner was again declared proclaimed offender vide order dated 03.07.2019 and was arrested in some other FIR and was brought on production warrants and as on today, he is in custody for the last about 03 years and 09 months including 02 years and 10 months of custody, after his arrest, when he was declared proclaimed offender for the second time. Learned counsel further submits that the offences are triable by the Court of Magistrate and no evidence has been recorded so far.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering long custody of the petitioner and the fact that offences are triable by the Court of Magistrate and also in view of judgment of the Hon'ble Supreme Court in **Satender Kumar Antil Vs. Central Bureau of Investigation and anr., SLP (Crl.) No.5191 of 2021, decided on 11.07.2022**, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail bonds and two local sureties of heavy amount, to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

01.02.2023
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No