

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

CRM-M-54842-2023

Date of Decision:16.11.2023

Navjeet Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Manpreet Ghuman, Advocate for
the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Ms. Khushdeep Kaur, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 73 dated 29.05.2014, under Sections 420,465,467,468,471 and 120-B of IPC, registered at Police Station Phase-8, District SAS Nagar, Mohali, Annexure P-1.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. In fact, initially the petitioner was not named in the present case, rather the petitioner has been summoned in the case by the Judicial Magistrate, while exercising his powers under Section 190-Cr.P.C. Learned counsel next contends that the petitioner had not cheated any other person nor had committed any forgery in the present case and a civil dispute has been given the colour of criminal offence. Learned counsel further contends that the petitioner is in custody since 05.04.2022 and is continuing in

custody for the last more than one year and seven months. She further contends that in the present case, there are only two alleged victims namely Balwinder Kaur and Krishan Kumar Singla and the entire amount has been returned to both of them. She further contends that the entire case is based on documentary evidence, which has already been collected by the police during the course of investigation and the further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the 78 more cases, having similar allegations have been registered against the present petitioner and he does not deserves the concession of bail.

4. I have heard the learned counsel for the parties and perused the record.

5. It is not in dispute that the petitioner was arrested in the present case on 05.04.2022 and the petitioner can never be confined in jail for an indefinite period as the Hon'ble Supreme Court in the matter of ***Prabhakar Tewari Vs. State of U.P., and another 2020(1) R.C.R. (Criminal) 831*** has held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of ***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another 2012(1) R.C.R. (Criminal) 586***. Apart from that, it is also evident that in the present case, the allegations have been levelled with regard to cheating of two persons namely Balwinder Kaur and Krishan Kumar Singla and the whole amount has been returned to both of them. Learned State counsel has admitted that the documents have already been recovered from the

present petitioner and the trial is at initial stage. It is also on record that the petitioner is on bail on most of the cases registered against him.

6. In view of the above discussion, the present petition is allowed.

The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

16.11.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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