

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

210

2023:PHHC:109197

CRM-M-61077-2022

Date of decision: August 22nd, 2023

Darshan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vijay Lath, Advocate
with Mr. S.K. Raghuvanshi, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking concession of regular bail in case FIR No.0357 dated 04.10.2020 under Sections 420, 506 of the IPC, registered at Police Station Division No.8, Police Commissionerate, Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been in custody for almost ten months for allegedly entering into an agreement to sell with respect to 20 *kanals*, 18 *marlas* of land situated in Village Kotali, which was in the name of Provincial Government. Learned counsel submits that even as per the revenue records, the petitioner was in possession of the afore-detailed land and the agreement was only qua handing over of the possession. Learned counsel further submits that the case in hand is based on documentary evidence and since the investigation is complete and challan stands presented, his further incarceration in the circumstances would serve no useful purpose. It has also been brought to the notice of

this Court that co-accused have already been extended the concession of bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, has reiterated the allegations levelled in the FIR in question against the petitioner. He has further submitted that though challan stands presented, however, charges are likely to be framed on the next date of hearing i.e. 23.08.2023.

4. On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he on instructions from ASI Harjeet Singh, has replied in the negative.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 10.10.2022 and the trial is unlikely to conclude in the near future as the charges have not yet been framed, coupled with the fact that as many as 18 prosecution witnesses have been cited by the prosecution.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

August 22nd, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No