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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58893-2023 (O&M)

Date of Decision: 28.11.2023

Vijay Kumar

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Angad Parmar, Advocate, for
Mr. Vivek K. Thakur, 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 grant of regular bail to the petitioner in FIR No. 65 dated 14.03.2023, under Section 406, 420, 120-B and 201 IPC, registered at Police Station Kharar, District SAS Nagar, Punjab.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in custody for about 6 months and investigation of the case has been completed and thereafter challan has been presented before the competent Court. He submitted that the present is a case which is triable by Magistrate and the allegations against the petitioner were pertaining to cheating which was a dispute purely financial in nature and the same can only be seen at the time of trial which will take long time to conclude. He

further submitted that the other co-accused namely, Sukhvir Kaur @ Sukhbir Kaur and Parabjit Singh @ Parabhjit Singh have already been extended the benefit of regular bail by this Court vide Annexure P-4 and P-5 and submitted that the petitioner may also be considered for the grant of regular bail.

3. On the other hand, Mr. Gurdarshan Singh Sidhu, AAG, Punjab has submitted that it is correct that the petitioner is in custody for about 6 months and the other similarly situated co-accused have been granted bail by this Court vide Annexure P-4 and P-5. He has however opposed the grant of bail on the ground that the petitioner is involved in one more case and in the present case there were 9 complaints from different individuals as well.

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

5. The petitioner is in custody for about 6 month. The investigation of the case has already been completed and thereafter challan has been presented. The present is a case which is triable by Magistrate and the other co-accused namely, Sukhvir Kaur @ Sukhbir Kaur and Parabjit Singh @ Parabhjit Singh have already been extended the benefit of regular bail by this Court vide Annexure P-4 and P-5. The mere fact that there were other complaints against the petitioner and the petitioner is involved in one more case would not become a ground for denial of bail to the petitioner especially in view of the fact that the investigation of the case has been completed and the case is triable by Magistrate.

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.

28.11.2023

rakesh

Whether speaking : Yes/No

Whether reportable : Yes/No

(JASGURPREET SINGH PURI)

JUDGE