

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

237

2024:PHHC:004225

CRM-M-732-2024

Date of decision: January 12th, 2024

Gajinderjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vishal Aggarwal, Advocate
for the petitioner.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.67 dated 08.04.2023 under Sections 419, 420, 467, 468, 471, 120-B of the IPC registered at Police Station Civil Lines, District Amritsar.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been in custody since 29.07.2023 in a magisterial trial. It has been further submitted that the only role attributed to the petitioner was of having facilitated the meeting between the complainant and the seller of the plot in question, which the complaint intended to buy. Learned counsel submits that the investigation in the case in hand is complete as the challan stands presented, however, the charges have not yet been framed, thus, there is no likelihood of the trial concluding in the near future, more so since 21 prosecution witnesses still remain to be examined. Learned counsel has also submitted that co-accused Kamalpreet Singh alias Babbu and Maninder Pal Singh have

since been enlarged on bail. In support, learned counsel has drawn the attention of this Court to Annexures P-3 and P-4.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the factual aspect of the role attributed to the petitioner in the crime in question. He, however, submits that as per allegations levelled, some amount in cash was received by the petitioner from the complainant. Learned State counsel has, at the same time, not been able to dispute that similarly situated co-accused have already been enlarged on bail, coupled with the fact that in the case in hand, which rests on the documentary evidence, challan stands presented.

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

5. 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.

January 12th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No