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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-1076-2024
Date of decision:-15.03.2024

GURPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Gurbir Singh Sidhu, Advocate
for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

Learned counsel for the State has Custody certificate dated 14.03.2024, the same is taken on record. Copy thereof has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
230	29.12.2021	420, 465, 467, 468, 471, 120-B IPC	Civil Line, District Bathinda

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case and

is in custody since 23.08.2023. He submits that there is nothing on record to suggest that money transactions were made in favour of the petitioner. He submits that challan has already been presented in Court, as such petitioner is not required for further investigation of the matter. Hence he prays for grant of concession of bail to the petitioner.

4. Learned counsel for State has not disputed the factual matrix of the case but opposed the bail application by arguing that the petitioner has taken money from victims for procuring job and thus defrauded them. He submits that challan has been presented in Court and prosecution has cited 32 witnesses and none of them have been examined till date as the charges have not yet been framed.

5. After considering the rival contentions and going through the record, it transpires that the version put forth by the prosecution could only be established after the trial is concluded. The petitioner is in custody since 23.08.2023 and is no longer required for further investigation as the challan has been presented in Court and even the charges have not been framed and the prosecution has cited 32 witnesses. In these circumstances, the disposal of the trial by the court of Magistrate will take sufficient long time and no purpose would be served by keeping petitioner behind bars any longer.

6. Resultantly, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other

case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

15.03.2024

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No