

246 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-688-2024
Decided on : 15.01.2024

Avtar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. Instant petition has been filed by the petitioner seeking concession of regular bail in case FIR No.156 dated 30.09.2016 under Sections 406, 420 and 120-B IPC registered at Police Station Division B District Amritsar.

2. Learned counsel for the petitioner *inter alia* contends that a perusal of the FIR in question, which has been annexed as Annexure P-1, reveals that the only role attributed to the petitioner is of having introduced the complainant with the co-accused, who were running a Company wherein the complainant invested a sum of Rs.17,25,000/- on an assurance that he would get good dividends on the same. Learned counsel submits that the petitioner has now been in custody since 02.11.2023 in a Magisterial trial and on completion of investigation, the challan also stands presented. Hence, his further incarceration would

serve no useful purpose as charges are likely to be framed on the next date of hearing fixed before the trial court, coupled with the fact that as many as seven prosecution witnesses have been cited.

3. On a pointed query put to the learned counsel for the petitioner qua his criminal antecedents, learned counsel has denied his involvement in any other criminal case much less a case of similar nature.

4. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner on instructions has not been able to controvert the submissions made by the counsel opposite qua the role of the petitioner. It has also not been disputed by the State counsel, on instructions, that no money was deposited in his bank account, however, it has been contended that he had received money from the complainant, which, though was in the name of the Company of the co-accused and some receipts had also been issued by the petitioner.

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

6. In the facts and circumstances as enumerated hereinabove, the trial would take considerable time to conclude as charges are likely to be framed on the next date of hearing and coupled with the fact that the petitioner is not stated to be involved in any other criminal case, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of

the Trial Court/Duty Magistrate concerned.

7. 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.

15.01.2024
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(MANJARI NEHRU KAUL)
JUDGE

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