



CRM-M-2026-2024

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**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-2026-2024

Date of Decision: 18.12.2024

Baljit Singh @ Balbir Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr.Karunesh Kaushal, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.273 dated 15.10.2023, under Sections 379, 406 IPC (Sections 473 and 407 IPC added and Section 379 IPC deleted lateron), registered at Police Station Jandiala, District Amritsar (Rural).

2. As per facts of the case, the FIR was registered on the statement of Kaushal Arora, wherein, it was alleged that on 06.10.2023, one vehicle bearing No.PB-46M-9860, whose driver name was Balbir Singh (petitioner) came present in his Transport Company and told to load paddy in his vehicle. On the guarantee of Simranjit Singh, the paddy was loaded in the truck of Balbir Singh on 07.10.2023 to be delivered at the disclosed place. On 13.10.2023, one Gourav Mahajan told that after loading the paddy, the truck did not reach the destination till date. It was found that Balbir Singh had cheated the complainant with the paddy loaded in his truck, the cost of which comes to be Rs.9,05,541/- and the same has been misappropriated.



Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 16.10.2023. He approached the Court of learned Additional Sessions Judge, Amritsar praying for grant of regular bail, however, on hearing both the sides, learned Court declined the same vide order dated 23.11.2023. Hence, the petitioner is before this Court by way of filing the present petition praying for grant of regular bail.

3. It has been vehemently contended by counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner has no criminal antecedent and he is behind bars since 16.10.2023. He submits that the investigation is complete and charges are framed, however, till date there is no progress in the trial. He submits that keeping in view the facts and circumstances of the case and the antecedent of the petitioner, he deserves to be granted bail.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that it was the petitioner in whose truck the paddy was loaded and he misappropriated the same. He submits that out of total 13 prosecution witnesses, 02 witnesses have been examined as on date. On instructions, he submits that the petitioner is not involved in any other case except the present case.

5. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner was arrested on 16.10.2023 on the allegations that he had committed theft of paddy and misappropriated the same. There is nothing on record to show that the petitioner is involved in any other case.

The investigation is already complete and charges are framed. Out of total

13 prosecution witnesses, 02 witnesses have been examined.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

	(RAJESH BHARDWAJ)	
	JUDGE	
18.12.2024	Whether Speaking/Reasoned :	Yes/No
sharmila	Whether Reportable :	Yes/No