



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M-7951-2024

Date of decision: July 8th, 2024

Jasvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Yagsimant Attri, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.43 dated 24.04.2023 under Sections 420/406 of the IPC registered at Police Station Boha, District Mansa.

2. Learned State counsel, on instructions from ASI Tarsem Singh, has not disputed the submissions made by the counsel for the petitioner that the most material witness i.e. the complainant already stands examined in the instant case. It has been further submitted, on instructions, that the next date fixed before the trial Court is 15.07.2024 when some of the remaining ten prosecution witnesses are likely to be examined. However, learned State counsel has invited the attention of this Court to the allegations levelled against the petitioner of having duped the complainant of an amount of ₹1,70,000/- on the pretext of providing him a job with the FCI.

3. Learned counsel appearing for the petitioner has, however, on the other hand, submitted that the petitioner has been falsely implicated in the present case, which is evident from the fact that the alleged amount was paid by the complainant in the year 2020, however, strangely, the FIR in question was lodged after 3 years and 1 month.
4. I have heard learned counsel for the parties and perused the material placed on record.
5. The petitioner has been in custody since 16.12.2023 in a magisterial trial. As not disputed by the learned State counsel, on instructions, the most material witness in the case in hand i.e. the complainant already stands examined. The trial is unlikely to conclude in the near future as ten prosecution witnesses still remain to be examined.
6. 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.
7. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

July 8th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No