

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

**105**

**CRM-M-12315-2024**

**Date of Decision : October 25, 2024**

**SATINDERJEET SINGH**

**-PETITIONER**

**V/S**

**STATE OF PUNJAB**

**-RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. D.S. Sobti, Advocate  
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

Mr. Anmol Puri, Advocate  
for the complainant.

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**KULDEEP TIWARI, J. (ORAL)**

1. Through the instant petition, as instituted under Section 439 of the Cr.P.C., the petitioner prays for him being granted the concession of regular bail, in case FIR No.11 dated 12.01.2024, under Sections 419, 420, 467, 468, 471, 473 and 120-B of the IPC, registered at P.S. Jandiala, Amritsar Rural.

2. In deference to the directions, as became voiced by this Court in its order dated 03.10.2024, Mr. Ghanshyam Thori, I.A.S., formerly Deputy Commissioner, Amritsar, and, presently posted as Special Secretary to the Government of Punjab, Department of Health and Family Welfare and Mission Director, National Health Mission, Punjab, Chandigarh, has recorded his personal appearance before this Court. The officer has also filed a short reply, on his affidavit, which is taken on record.

3. At the outset itself, the officer purveys an undertaking that, in future, he will not author any such document, alike to the one enclosed as Annexure P-5 with the present petition, to any investigating agency, which would result in interference in the dispensation of criminal justice.

4. In view of the undertaking furnished by the officer, this Court deems it appropriate not to pass any further directions. The personal appearance of the officer is dispensed with.

5. Now, insofar as the relief claimed in the instant petition is concerned, the learned counsel for the petitioner opts not to address any arguments on merits of the case, rather confines the sphere of his arguments only to the period of incarceration suffered by the petitioner, besides the stage of trial. He submits that, since the trial, which is a Magisterial trial, has not yet begin, inasmuch as, charges are yet to be framed, therefore, no fruitful purpose would be served by keeping the petitioner behind the bars, who has already suffered incarceration of approx. 09½ months.

6. *Per contra*, the learned State counsel, and, the learned counsel for the complainant have vociferously opposed the grant of regular bail to the petitioner, on the ground that, the petitioner is the main accused, who supplied the forged sale deed(s) in order to get mutation(s) recorded in his favour, thus causing wrongful loss to the complainant.

7. Although the learned State counsel has opposed the grant of bail to the petitioner, however, on instructions imparted to him by A.S.I. Tejinder Singh, he verifies that although the Final Report has been filed on 18.06.2024, but, the trial is yet to begin, as charges have not yet been

framed in the present case.

8. This Court has heard the submissions made by the learned counsels for the parties and perused the record.

9. Be that as it may, considering the fact that: (i) as per the custody certificate dated 24.10.2024, as placed on record by the learned State counsel, the petitioner has suffered incarceration of 09 months and 11 days; (ii) as per the custody certificate (supra), although the petitioner is involved in one more case, however, he has been granted bail therein; (ii) the trial, which is a Magisterial trial, has not yet begin, as charges are yet to be framed; this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

10. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

October 25, 2024  
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(KULDEEP TIWARI)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No