

CRM-M-12414-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(224)

CRM-M-12414-2024
Date of Decision:- 23.04.2024

Gurmukh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Himmat Singh Deol, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for grant of regular bail to the petitioner in case FIR No. 201 dated 12.08.2023, under Sections 408, 420, 467, 468, 471 of the Indian Penal Code, 1860, registered at Police Station Sahnewal, Ludhiana (Annexure P-1).
2. Learned counsel for the petitioner submits that vide order dated 01.04.2024, the charges have been framed and the matter is now fixed for prosecution evidence. He further submits that the entire evidence is documentary in nature and therefore, he be considered for grant of regular bail, as he has already suffered incarceration of almost 04 months.
3. Custody certificate of the petitioner has also been filed by learned State counsel in Court today, which is taken on record, according to which the petitioner is in custody for the last 03 months and 27 days and does not deny the fact that the charges have been framed.

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4. In light of the above and considering the fact that the petitioner is in custody for more than 03 months, coupled with the fact that the entire evidence is documentary in nature, therefore, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of the concession of regular bail.

5. At this stage, counsel for the petitioner has volunteered that the petitioner will deposit a sum of Rs. 1,00,000 with the trial Court.

6. Accordingly, the petitioner is directed to deposit the said amount with the trial Court which shall be kept in an FDR in a nationalized Bank and in case, the petitioner absents himself from the proceedings without any cogent reason, the said amount will be forfeited in favour of the State.

7. Without commenting upon the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- i. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- ii. The petitioner will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.

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- iv. The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

8. It is made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

10. It is further made clear that this order shall not be construed as parity *qua* any other co-accused.

(ALOK JAIN)
JUDGE

April 23, 2024
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No