

2024:PHHC:054717

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CRM-M-18596-2024
Date of decision : 23.04.2024

Pooran Singh @ Puran Singh Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Saurav Kanojia, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.83 dated 23.10.2021 registered for the offences punishable under Sections 420 and 406 of IPC (Sections, 120- B, 467, 468, 201 and 171 of the IPC added later on) at Police Station Jodhan, District Ludhiana.
2. Learned counsel for the petitioner submits that in the present case, a complaint was received against the co-accused namely, Sarwan Singh qua the allegations that he had taken money from the complainant on the pretext of providing the willing job in Army and during the investigation of the said complaint, it was found that petitioner was also involved but in the FIR, it was noticed that no money was paid to the petitioner by the complainant. Learned counsel for the petitioner further submits that the petitioner is behind the bars

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for the last 01 year, 08 months and 06 days and as the trial is not likely to be concluded in near future, the petitioner may kindly be extended concession of regular bail.

3. Learned State counsel though, concedes the factum that the allegations qua the payment of money for recruitment in Army was against the co-accused Sarwan Singh and it was the said Sarwan Singh, who had told the petitioner that in case anyone is interested in getting recruitment in Army, he/she can contact him but submits that role of the petitioner in sending the complainant to the co-accused Sarwan Singh cannot be ruled out. Learned State counsel further concedes that there is no other case pending against the petitioner and the petitioner is behind the bars for the last more than one year and out of the total 34 cited witnesses, only 03 witnesses have been examined so far.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Keeping in view the facts and circumstances of the present case especially that there is no allegation of receiving any money from the complainant by the petitioner as the said allegations are only against the co-accused Sarwan Singh coupled with the fact that there is no other case pending against the petitioner and he is behind the bars for the last one year and 08 months and as of now out of the total 34 cited witnesses, only 03 witnesses have been examined so far, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

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6. Needless to say nothing recorded herein shall be construed
to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

23.04.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No