

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-19355-2024 (O&M)
Date of Decision:- 25.04.2024

Kausheledra Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Garg, Advocate, for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
0252	18.10.2023	City 2 Mansa, District Mansa	420, 120-B IPC (Sections 467, 468 and 471 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of ASI Kulwant Singh wherein it is alleged that pursuant to receipt of a fradulent call, he deposited an amount of Rs.2,90,000/- in the bank account of co-accused Santosh Paswan. Although the petitioner is not named in the FIR, but during the course of investigation it transpired that phone number linked with the account where the amount of Rs.2,90,000/- had been deposited is registered in the name of the petitioner.

3. Learned counsel for the petitioner submits that he is not the beneficiary as no amount was credited in his account and as such the petitioner having been behind bars since the last about 5 months deserves the concession of bail.
4. Opposing the petition, learned State counsel submitted that since the mobile phone of the petitioner is linked with the bank account where the defrauded amount was deposited, his complicity is clearly evident. Learned State counsel has however, informed that the petitioner has been behind bars since the last 4 months and 27 days that that challan already stands presented. It has also been informed that the petitioner is not involved in any other case.
5. This Court has considered the rival submissions.
6. Without commenting anything, but having regard to the long custody of the petitioner and the fact that conclusion of trial is likely to consume time inasmuch as trial has not even commenced and charges are yet to be framed and the petitioner otherwise enjoys a clean record, further detention of the petitioner would not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.04.2024
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(GURVINDER SINGH GILL)
JUDGE

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