



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

CRM-M-21276-2024

Date of Decision:09.05.2024

MOHAN LAL

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Amritpal Singh Gill, Advocate
 for the petitioner.

Mr. Kuljit Singh, Addl.A.G., Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.76 dated 31.05.2023 registered for the offences punishable under Sections 419, 420, 406, 467, 468, 471 of IPC at Police Station Sadar, Sri Muktsar Sahib.

2. As per the allegations appearing in the FIR, complainant Kulwant Singh gave his tractor No. PB-30Y-4862 on rent to co-accused Manpreet Singh @ Aman at the rate of Rs.18,000/- per month, in the year 2021. In the beginning Manpreet Singh @ Aman kept on making payment of rent, regularly. After sometime Manpreet Singh @ Aman sought time to pay rent on the ground that he was not able to earn much. In the month of June, 2021 complainant came to know that Manpreet Singh @ Aman has sold his tractor to one Ram Partap by conniving with



present petitioner Mohan Lal by using photographs of the petitioner on different documents. During investigation, the petitioner was arrested and is in custody since 02.06.2023.

3. Counsel for the petitioner submits that petitioner is falsely named as an accused in the present case and has got no connection with tractor in question. It is further submitted that the recovery of said tractor is already effected and main accused Manpreet Singh @ Aman is granted regular bail by this Court vide order dated 11.01.2024 (Annexure P-3). It is further submitted that no useful purpose would be served by keeping the petitioner in custody, as police has already presented challan but it will take time for final disposal of the trial.

4. State counsel while resisting the present petition submits that the trial is at its initial stage and as such no ground is made out to grant regular bail to the petitioner at this stage. However the State counsel has not disputed the fact that the petitioner is in custody for the last more than 11 months and is having no criminal history.

5. I have considered the submissions made by the counsel for the parties.

6. All the offences are triable by the Court of Judicial Magistrate First Class. Recovery of tractor in question is already effected and on completion of investigation police has presented challan but the trial is at its initial stage. Co-accused Manpreet Singh @ Aman is given benefit of regular bail by this Court vide order dated 11.01.2024(Annexure P-3). Further the petitioner is in custody for the last more than 11 months and is presently lodged in judicial custody.

Conclusion of trial is likely to consume time. This Court is of the opinion that further detention of the petitioner will not serve any useful purpose, having regard to the totality of facts and circumstances of the case.

7. For the foregoing reasons, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

09.05.2024
Priyanka Thakur

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No