



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 24947 of 2024 (O&M)
Date of Decision: 22.05.2024

Dalvir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Baljinder Singh, Advocate, for the petitioner.
Mr. Karunesh Kaushal, Assistant Advocate General, Punjab
Mr. Shivender Sharma, Advocate
for the complainant-Gopal Krishan.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present (second) petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No. 0069, dated 03.06.2023, under Sections 406, 420, 419, 465, 467, 468 & 120-B of IPC (Section 201 of IPC added later on), registered at Police Station Mullanpur, District SAS Nagar (Mohali), wherein he has been implicated with the allegations of having impersonated himself being the original owner of the property in question, which otherwise belonged to one Balbir Singh.

[2] Learned State counsel vehemently opposes the prayer made on behalf of the petitioner, while submitting that the petitioner while impersonating himself as the owner of the suit property played fraud upon Balbir Singh (owner) as well as Gopal Krishan, i.e. the prospective

purchaser / complainant; thus he does not deserve the concession of regular bail.

[3] I have heard learned counsel for the parties and gone through the paper-book. I find substance in the submissions made by learned counsel for the petitioner.

[4] In the present case, investigation stands concluded with the filing of challan, followed by framing of charges and the petitioner is behind the bars for the past almost eight months, thus, the conclusion of trial may take some time. Also, the petitioner is stated to be not involved in any other case. Moreover, the parties have entered into a settlement, as per which, the complainant-Gopal Krishan has received an amount of Rs. 10 lakhs, besides two post dated cheques bearing Nos. 160982 & 160984, dated 27.05.2024 & 19.06.2024 respectively, drawn on Allahabad Bank, for a sum of Rs. 7.5 lakhs each. In view thereof, this Court does not find justification to extend the incarceration of the petitioner any further.

[5] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

[6] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

May 22, 2024

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**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>