

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-44583-2023
Date of Decision:06.05.2024

ROSHAN SINGHPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Rajwinder Kaur Sandhu, Advocate
for the petitioner.
Mr.Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.41 dated 26.04.2023, under Sections 420, 406, 120-B of IPC, 1860, registered at Police Station Jaitu, District Faridkot.

2. As per the allegations, complainant - Gurmail Kaur, had an amount of more than ₹13,97,000/- in her bank account. She is a widow and old-aged lady. Her son Jagsir Singh had committed suicide. FIR No.106 dated 28.07.2020 was registered against Baljinder Kaur under Section 306 IPC in this regard at Police Station Jaitu. Since complainant was not in a position to pursue the case, petitioner Roshan Singh along with Tarsem Singh and Sukhchain Singh used to accompany the complainant to pursue the case. Allegations are that said accused persons got the thumb impression of the complainant on the bank vouchers and some blank papers on the pretext to pay ₹10,000/- as fees to the counsel, but instead of withdrawing ₹10,000/- from the account of the complainant, they got initially transferred an amount of ₹10 lakh through RTGS from her account and later then withdrew another amount of ₹3,97,000/- by taking her to the Bank.

During inquiry, it was found that amount of ₹10 lakh was transferred by petitioner Roshan Singh in his account.

3. Ld. counsel contends that there is a delay of two years in lodging of the FIR; that petitioner is in custody for the last more than 11 months; that trial may take time to conclude; that case is triable by Magistrate and so, he be allowed bail.

4. Ld. counsel was specifically asked as to whether petitioner was ready to return the amount of ₹10 lakh to the petitioner, which has been transferred in his account, but ld. counsel states that he is under no such instructions.

5. Having regard to the nature of allegations against the petitioner and fact that amount of ₹10 lakh has been transferred in the account of the petitioner, which he is not ready to return, but without commenting anything further on the merits of the case, this Court is not inclined to grant the benefit of regular bail to the petitioner and as such the petition is hereby dismissed.

06.05.2024

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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes
Whether Reportable	No