

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Gursimran Singh Madaan, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

CRM-11337-2024

1. Application is allowed as prayed for subject to just exceptions.
Annexures P-5 to P-6 are taken on record.

CRM-M-50748-2023

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.168 dated 26.10.2022 registered under Sections 406, 420, 506, 34 of IPC and offences under Sections 465, 467, 468, 471, 120-B of IPC (added later on), at Police Station Mukerian, District Hoshiarpur.
2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of the statement made by Jiwan Lal, who had levelled allegations against Balwinder Singh, Harjit Singh and Balbir Singh for cheating on the pretext of getting jobs in Punjab Police. He further

contends that the petitioner was named as an accused in the present case in the disclosure statement made by co-accused Harjit Singh. He further contends that Balwinder Singh, who was nominated as an accused initially, has already been granted the concession of bail by this Court. Learned counsel further submits that after registration of the FIR, Harjit Singh and Balwinder Singh had entered into a compromise with the complainant side and had promised to return the amount back. This shows that the petitioner had no concern with the allegations levelled by the complainant in the present case. Learned counsel further contends that the final report under Section 173 Cr.P.C. has already been presented in the present case and only one witness, out of total 15 witnesses have been examined so far. He further contends that there are little chances of early completion of trial before the trial Court and the petitioner has already suffered incarceration for over 8 months.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, Balwinder Singh, who had against whom specific allegations were levelled, has already been granted the concession of bail by this Court. The petitioner was arrested in the present case on 08.07.2023 and is continuing in custody since then. Even though, one more case i.e. FIR No. 54 dated 24.03.2023 under Sections 406, 420, 34 of IPC and offences under Sections 465, 467, 468, 471, 120-B of IPC (added lateron), at Police Station

Mukerian, District Hoshiarpur was registered against the present petitioner, however, vide order dated 29.02.2024 (Annexure P-6) passed in CRM-M-50725-2023, the petitioner has already been ordered to be released on bail.

6. Thus, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

20.03.2024.
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(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No