

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

CRM-M-50724-2023 (O&M)
Date of Decision:-11.1.2024

Manpreet Singh @ Aman ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurinder Singh Hayer, Advocate for the petitioner.
Mr. Sanish Girdhar, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
76	31.5.2023	Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib	419, 420, 406, 467, 468 and 471 of Indian Penal Code, 1860

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 Kulwant Singh son of Sukhmander Singh, wherein it is alleged that he had given his tractor on rent to the petitioner on monthly rent of Rs.18,000/- and that the petitioner by forging his (complainant) Aadhar Card sold-off the said tractor belonging to the complainant.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that, in any case, since the tractor in question already stands recovered, no useful purpose would be served by keeping the petitioner behind bars any longer.

4. Opposing the petition, learned State counsel submitted that the petitioner is a habitual offender having been involved in 5 other cases including 3 cases registered under Section 420 of Indian Penal Code and, as such, it is not safe to release the petitioner on bail. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 6 months and that as on date 1 PW out of the cited 17 PWs stands examined.
5. This Court has considered the rival submissions addressed before this Court.
6. The allegations are broadly to the effect that the petitioner has sold-off the tractor, which had been given to him by the complainant on monthly rent of Rs.18,000/-, by forging the complainant’s documents. It is not disputed that the tractor in question already stands recovered. The petitioner has been behind bars for a substantial period of more than 6 months. Conclusion of trial is likely to consume time inasmuch as only 1 PW out of the cited 17 PWs has been examined. In these circumstances, despite the fact that the petitioner is involved in some other cases, 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 particularly the nature of allegations and the custody of the petitioner.
7. The instant 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.

11.1.2024

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No