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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52411-2024 (O&M)
Date of decision: 02.12.2024

Gurlal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. S.S. Sohi, Advocate
for the petitioner.

Ms. Avneet, AAG, Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, the petitioner, who was arrested in the instant case on 09.01.2024, craves for indulgence of this Court for him being enlarged on regular bail, in case FIR No.216 dated 09.10.2023, under Sections 420, 120-B, 201 of the IPC, registered at P.S. Sadar Nabha, District Patiala, Punjab.
2. The allegations against the petitioner are that the petitioner has committed fraud of approximate Rs. 57,00,000/- with number of persons for providing job in Government of Punjab. The petitioner is stated to be involved in two more case. The main thrust of arguments for seeking the regular bail is the days of incarceration suffered by the petitioner in the instant case.
3. Learned counsel for the petitioner asking for the relief of



regular bail, submits that the petitioner has suffered incarceration about 11 months and all the offences are triable by Judicial Magistrate 1st Class. He further submits that in other two cases, he has already been extended the benefit of regular bail.

4. The submissions made by learned counsel for the petitioner have been vehemently opposed by learned State counsel, while submitting that in fact the petitioner has cheated many persons on the pretext of getting job, and there are number of victims and in the instant case three victims have surfaced. She, after having instructions from the quarter concerned, further informs this Court that the final report has already been filed on 16.05.2024 before the trial Court concerned, and thereupon the trial Court proceeded to frame the charges against the present petitioner vide order dated 05.09.2024. She also informs this Court that no witness has been examined so far, whereas 23 witnesses have been cited in the final report.

5. Be that as it may, considering the fact that all the offences under which the present petitioner has been booked, is triable by the Court Judicial Magistrate 1st Class and the petitioner has suffered incarceration precisely 10 months and 20 days as on date, whereas no prosecution witness has been examined, therefore, considering the snail pace of trial and the fact that all the offences are triable by the Court of Judicial Magistrate 1st Class, this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bonds and heavy surety bonds to the satisfaction of concerned Chief Judicial



Magistrate/trial Court/Duty Magistrate.

6. However, it is clarified that if in future, the petitioner is found indulging in commission of similar offences, as are involved herein, the respondent-State shall be at liberty to make an appropriate application seeking cancellation of regular bail, as granted by this Court. Moreover, anything observed here-in-above shall have no effect on the merits of the trial and is meant for deciding the present petition only.

02.12.2024

Satyawan

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No