

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

314/1

CRM-M-17448-2025 (O&M)
Date of Decision:- 08.05.2025

PRABHDAN SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ashish Nagar, Advocate for the petitioner.
Mr. Iqbalpreet Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

1. The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
195	30.09.2016	420, 120-B, 201, 204 IPC	Tanda, District Hoshiarpur

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and is working as a property dealer and has not committed any criminal activity nor is he the beneficiary of the alleged transaction but has been falsely implicated in this case. He submits that the petitioner is in custody since 17.03.2025 and challan has already been presented in Court and the conclusion of trial will take sufficient long time.



Thus prays for grant of concession of bail to the petitioner.

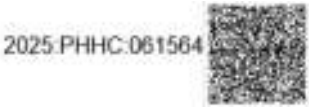
3. *Per contra*, learned State counsel while referring to the short reply filed by the State has opposed the petition on the ground that the petitioner had actively participated in the crime and had fraudulently taken the amount from the complainant and despite the agreement to sell with the complainant, the petitioner got the sale deed executed in favour of his son. Hence prayed for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the allegations, the petitioner entered into an agreement to sell for a land in favour of the complainant and received the earnest money from him, but with intent to defraud him, got the sale deed executed in favour of his own son. The petitioner did not even refund the amount of earnest money and has thus cheated the complainant. Hence, the FIR.

6. From the perusal of the record, it transpires that the petitioner is in custody since 17.03.2025 and after the completion of investigation, challan has been presented in the Court, which is triable by the Court of Magistrate, wherein the conclusion of trial to ascertain the criminal liability, if any, of the petitioner will take sufficient long time. In these circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of



learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

08.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No