



CRM-M-26625-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-26625-2025
Date of Decision: May 20, 2025

Avtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE **SANJAY VASHISTH**

Present: Mr. Himanshu Chhabra, Advocate,
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Avtar Singh	82	10.06.2023	419, 420, 465, 467, 468, 471 and 120-B IPC (Section 201 IPC added later on)	City-1, Malerkotla	Malerkotla

2. Learned counsel for the petitioner submits that the allegation against the petitioner in the instant case is that he committed fraud with the Court by furnishing false and fabricated documents at the time of furnishing *sapurdari*/surety bonds and even, impersonated the Lambardar for the purpose of verification and identification.



Further submits that all the offences in the case are triable by the Court of learned Magistrate and after completion of investigation though final report has been submitted, but out of 18 prosecution witnesses none has been examined. Petitioner is not involved in any other case and is inside jail since 23.01.2025.

Additionally, learned counsel for the petitioner submits that the petitioner is not maintaining good health, as he is suffering from Hepatitis-C (*kala piliya*), and requires immediate attention of some expert doctor for an appropriate prescription and treatment. Thus, prays for releasing the petitioner on bail in the present case.

3. While opposing the prayer of bail, learned State counsel submits that present FIR was registered at the instance of the Reader posted in the Court of learned Sub Divisional Judicial Magistrate, Malerkotla, and no lenient view can be adopted in such matters. In fact, it is not cheating with the complainant or vis-a-vis some property, rather it is an act of playing fraud with the Court itself. Thus, prays that the prayer for bail may be declined.

4. I have considered the submissions addressed by the respective counsel, and also gone through the record available before the Court.

5. From the record it is noticed that co-accused Vakesh Kumar, has already been granted concession of anticipatory bail by the Co-ordinate Bench of this Court, vide its order dated 03.11.2023, passed in CRM-M-37943-2023 (Annexure P-3).

Similarly, another co-accused, namely, Mohammad Aamir, has also been granted concession of anticipatory bail, vide order dated 03.11.2023, passed in CRM-M-35021-2023 (Annexure P-4).



Even the other aspects as argued by petitioner’s counsel are also worth noticing. Moreover, all the offences are subject to the Magisterial trial, wherein process of recording statements of the prosecution witnesses is yet to start. In all likelihood, considerable period would be consumed in culmination of the trial, and liberty of the petitioner cannot be curtailed, who is stated to be suffering from Hepatitis-C (*kala piliya*). Therefore, plea for bail, at this stage, seems to be justifiable.

Accordingly, taking note of all the aforementioned aspects, present petition is allowed, and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court / Chief Judicial Magistrate / Area Magistrate / Duty Magistrate concerned, if not required in any other case.

6. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
7. The observation made hereabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
8. Petition stands disposed of.

May 20, 2025
Pkapoor

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>