



231 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH

CRM-M-58555-2024

Date of Decision:28.05.2025

Swaran Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Ajay Kumar, Advocate
 for the petitioner.

Mr. Ravneet Singh Joshi, DAG, Punjab.

Mr. Vipin Pal Yadav, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.69 dated 28.09.2024 registered under Sections 419, 420, 465, 467, 468, 471, 120-B of IPC, at Police Station Block Majari, District SAS Nagar, Mohali.

2. Learned counsel for the petitioner contends that the petitioner is a rustic and illiterate agriculturist and is aged about 81 years. Even he is suffering from various old age related ailments and is physically as well as mentally unfit. Even he does not know how to read and write anything except writing his own name. He was arrested in the present case on 03.10.2024 from his residence and remained in custody for almost 04 months and 14 days.

Learned counsel submits that after completion of investigation, challan has been presented against him.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had cheated the complainant to the tune of Rs.88 lacs and the petitioner is a habitual offender. Thus, the present petition deserves to be dismissed by this Court.

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

5. In the present case, the petitioner is aged about 81 years and as per learned counsel for the petitioner, he is suffering from old age related disease. Moreover, he has already suffered judicial custody for a period of more than 04 months. Even the investigation has already been completed against him and his further custody will not serve any meaningful purpose.

6. Without commenting on the merits of the case, 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 subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

28.05.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No