

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-11962 of 2015 (O&M)
Date of Decision: 24.4.2015

Gulshan Kataria

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. A.K. Khunger, Advocate for the petitioner.

Mr. Mikhail Kad, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the instant petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No.20 dated 7.3.2014 under Sections 420, 467, 468, 471, 419, 120-B I.P.C registered at Police Station, City Fazilka, District Fazilka.

Learned counsel for the parties have been heard.

Allegations in a nutshell are with regard to an agreement to sell having been entered into and an amount of Rs.10 lacs having been taken as earnest money and without the petitioner as also co-accused being the owner of the property in question.

It has gone uncontroverted that investigation in the present case is complete and challan was presented on 5.6.2014. Thereafter, the trial has not made progress on account of the fact that an application was filed under Section 319 Cr.P.C for summoning one Vinod Kumar Manchanda as additional accused and such application was allowed by the Trial Court vide order dated 16.1.2015. The trial, as such, is at the very initial stage.

The petitioner has been in custody since 4.5.2014. Co-accused namely Kapil Jaiswal has been granted the concession of regular bail by this

Court in the light of order dated 20.3.2015 passed in CRM No. M-3412 of 2015.

Without making any observations on merits and keeping in view the length of incarceration that the petitioner has already suffered, present petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M., Fazilka.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 24, 2015
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