

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-20468-2015
Date of decision:1.7.2015**

Kamaljit Thakur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.K.S.Chawla, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in FIR No.19 dated 23.1.2015 registered under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Division No.5, District Ludhiana.

Notice to the Advocate General, Punjab.

On the asking of Court, Ms.Anmol Grewal, AAG, Punjab, accepts notice.

Learned counsel for the petitioner places reliance on an order dated 26.3.2015 passed by this Court in CRM-M-8587-2015 (Rajat Mittal v. State of Punjab), whereby the main accused in the present FIR was granted the concession of bail pending trial by this Court. He further submits that the petitioner was neither employed with the main accused nor he was beneficiary in any manner because of which false implication of the petitioner seems to be writ large. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Harbhol Singh, Police Station Division No.5, Ludhiana, submits that it was the petitioner who prepared the bill in question. She further submits that petitioner would not prepare the bill in question without any

consideration. So far as granting of concession of bail pending trial to the main accused namely Rajat Mittal and Jagjit Singh as well is concerned, learned counsel for the State submits that it is a matter of record. However, she prays for dismissal of the present petition on the ground that the case of the present petitioner was distinguishable from the case of main accused, i.e. Rajat Mittal.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the instant case, petitioner has been found entitled for bail pending trial. It is so said because despite having made her best efforts, learned counsel for the State could not distinguish the case of the present petitioner from the main accused, i.e. Rajat Mittal, who has already been granted the concession of bail pending trial by this Court vide above-said order dated 26.3.2015.

In view of the above and without commenting anything further on merits, lest it should prejudice the rights of either of the parties, the instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Disposed of, accordingly.

1.7.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE