

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

CRM-M-24567-2015

Date of decision: 20.08.2015

Mohan Lal

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms. Jigyasa Tanwar, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.194 dated 01.09.2014 under Sections 406, 420, 465, 467, 471, 120-B IPC, registered at Police Station Division No.5, Civil Lines, District Ludhiana.

Learned counsel for the petitioner submits that petitioner was not the beneficiary of the transaction. At the most, the allegations against the petitioner could be that he wrongly identified one of the parties to the sale deed. Admittedly, petitioner was only a marginal witness to the sale deed. He is inside the jail for the last about five months. Charge has already been framed. She concluded by submitting that since the prosecution evidence is yet to start, conclusion of the trial will take some time. She prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Baldev Singh, Police Station Division No.5, Civil Lines, District Ludhiana, submits that petitioner was counsellor of the concerned area. In

spite of his status in the society, as a responsible citizen, he intentionally identified a wrong person at the time of registration of sale deed, thus, facilitating his co-accused in the commission of crime. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because petitioner was admittedly a marginal witness. He was not the beneficiary of the sale transaction. Petitioner is inside the jail for the last about five months. Further, since the prosecution evidence is yet to start, conclusion of trial shall also take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, present 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 trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

20.08.2015
vishnu