

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

CRM No.M-26506 of 2015

Date of decision: 08.09.2015

Kunal Walia

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Brar, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Panna Lal.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.207, dated 10.07.2015, registered under Sections 409 and 420 of the Indian Penal Code (for short 'IPC'), at Police Station Patti, District Tarn Taran.

It is contended that the Manager of the branch being the incharge was under obligation to maintain proper record. No action has been initiated against the Manger or the petitioner being the lowest in the hierarchy has been framed in the instant case. No amount was recovered from the petitioner. It is a magisterial trial.

The petitioner is in custody since 10.07.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that petitioner has embezzled an amount of Rs. 18,23,660/-. The investigation has been completed, however, the challan has not been filed so far.

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

Keeping in view the fact that it is a magisterial trial; the petitioner is in custody since 10.07.2015, the investigation is complete, however, the challan is yet to be presented, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of CJM/Duty Magistrate Tarn Taran.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

08.09.2015

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(JITENDRA CHAUHAN)
JUDGE