

CRM-M-28810-2015

[1]

In the High Court of Punjab and Haryana at Chandigarh.

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Date of Decision: 05.10.2015

Raj Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. S.S. Narula, Advocate,
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.40, dated 09.04.2015, under Sections 420, 465, 467, 468, 471, 419 and 120-B of the Indian Penal Code, 1860, Section 12 of Passport Act, 1967 and Sections 7 and 13(2) of Prevention of Corruption Act, 1988, registered at Police Station City Shaheed Bhagat Singh Nagar, District Shaheed Bhagat Singh Nagar.

Prosecution story, in brief, is that the petitioner and his co-accused had facilitated in preparation of passport on the basis of false verification reports.

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Learned counsel for the petitioner has submitted that first FIR was lodged against the petitioner on 29.03.2014. One of the co-accused suffered a disclosure statement and on the basis of the same, petitioner was arrested on 08.04.2014. Thereafter, one more similar FIR was registered on 25.08.2015 and one of the co-accused made a disclosure statement and petitioner was arrested in that case also. Thereafter, the present FIR was registered and the petitioner was arrested on 15.04.2015. On the basis of the statement made by the petitioner in the present FIR, another FIR No.38 dated 29.04.2015 was registered against the petitioner. In the first two FIRs, wherein similar allegations had been levelled against the petitioner, he had been acquitted vide Annexures P-5 and P-6. Learned counsel has further submitted that in FIR No.38 dated 29.04.2015, petitioner has been ordered to be released on bail by this Court vide order dated 29.09.2015 in CRM-M-31090-2015.

Learned State counsel, on the other hand, has opposed the petition but had failed to controvert the factual aspect of the submissions made by learned counsel for the petitioner.

Keeping in view of the submissions made by learned counsel for the petitioner, it would be just and expedient to

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order the release of the petitioner on bail.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar.

October 05, 2015
kapil

(SABINA)
JUDGE