

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-31142 of 2015

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Date of decision:5.10.2015

Suresh Gupta and another

...Petitioners

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Vikram Chaudhri, Senior Advocate with Mr. Rajbir Singh Arya, Advocate for the petitioners.

Mr. B.S. Bhullar, Assistant Advocate General, Punjab for the respondent-State.

Mr. Anish Garg, Advocate for the complainant.

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Inderjit Singh, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.39 dated 22.2.2014 registered for the offences under Sections 406 420, 465, 467, 468, 471 and 120-B IPC at Police Station Derabassi, District S.A.S. Nagar (Mohali).

Notice of motion.

On the asking of the Court, Mr. B.S. Bhullar, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and accepted notice. Mr. Anish Garg, learned Advocate has appeared on behalf of the complainant. They contested this petition.

I have heard learned counsel for the parties and have gone through the record.

From the record, I find that the petitioners are in custody since 19.8.2015. They are not required for any investigation or interrogation purposes nor anything is to be recovered from them because they are in judicial custody. The presentation of challan as well as trial of the case will take long time. The offences are triable by Judicial Magistrate Ist Class. Otherwise also, the allegations against the present petitioners are that they executed two sale deeds in favour of Ved Parkash, Usha Rani etc. regarding the property of the Company and as per the FIR the complainant was surprised that his Company has passed a resolution in favour of Suresh Kumar present petitioner.

At the time of arguments, learned counsel for the complainant argued that this resolution is a forged document.

As already discussed, the trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- with one surety each in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 5, 2015.

(Inderjit Singh)
Judge

hsp