

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

Crl. Misc. No. M-37214 of 2016

Date of Decision:-25.10.2016

Sham Sunder

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Karanjit Singh, Advocate for the petitioner.

Mr.Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.67, dated 16.09.2016, for offence under Sections 379, 411, 468, 467, 471, 420 and 120-B IPC, registered at Police Station D Division Amritsar City, District-Amritsar, during the pendency of trial.

Learned counsel for the petitioner contends that the petitioner who works in District Courts Amritsar, has got Registration Certificate (RC) of two stolen motorcycle and transferred in the name of co-accused, namely, Vinay Kumar by forging the signatures of real owners and as per prosecution, the fee for transferring of Registration Certificate (RC) has been deposited by the petitioner-Sham Sunder. He further submits that the petitioner is in custody since 16.09.2016 and there is no other case against

him except the present one.

Learned counsel for the State has filed the custody certificate of the petitioner in Court today which is taken on record. He, on instructions from ASI-Arjan Singh, does not dispute the custody of the petitioner, however, submits that the petitioner was instrumental in getting RCs issued in the name of co-accused, namely, Vinay Kumar. He further submits that the challan in the case has not yet been presented.

I have heard learned counsel for the parties.

Taking into consideration the fact that the report of hand-writing expert on the filled up form for getting RCs transferred is still awaited, coupled with the fact that there is no other case against him except the present one, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

25.10.2016.
Anjal

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No