

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

CRM-M-40180-2016 (O&M)
Date of decision : 22.11.2016

Nirmal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Malkit Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.15 dated 26.03.2011, registered under Sections 420, 468, 471 and 120-B of the Indian Penal Code at P.S. Airport, Amritsar.

Contents that except the disclosure statement of co-accused Sukhbir Singh, who had allegedly travelled to Italy on forged document, there is no evidence on record against the petitioner. The present FIR has been registered on the statement of the Immigration Officer that co-accused, Sukhbir Singh, was arrested at the airport after he was deported from Italy. During the investigation, co-accused Sukhbir Singh recorded a statement that the documents were prepared by the petitioner. The petitioner is a resident of Village Malia Khurd, whereas, Nirmal Singh who is named in the statement of co-accused Sukhbir Singh is stated to be a resident of

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Village Pandori.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that the petitioner is the main accused as he prepared forged travel documents and supplied the same to co-accused Sukhbir Singh. The challan has been presented and the matter is fixed for framing of charge.

Heard.

Co-accused Sukhbir Singh has already been enlarged on bail by the trial Court. Said order has not been assailed by the State. The petitioner is in custody since 11.06.2016. There is no complaint against the petitioner for supplying forged documents on behalf of co-accused Sukhbir Singh. He is not involved in any other FIR. The investigation is complete and challan stands filed. The charges are yet to be framed, therefore, it can safely be inferred that the conclusion of the trial may take time.

Keeping in view the above, 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 the trial Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No

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