

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

**CRM-M No.40688 of 2015 (O&M)
Date of Decision: 27.01.2016**

Krishan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Aman Pal, Advocate for the petitioner.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
for the respondent/State assisted by PSI Kuldeep Singh.

JASWANT SINGH, J. (Oral)

Present 2nd petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner in case FIR No.245 dated 17.06.2013, under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered with Police Station City Sonapat, District Sonapat.

The allegation is that petitioner has forged a cheque issued by the complainant Company and thereafter misutilized the said amount of Rs.24,77,879/-.

It is contended that there is no recovery of any money pursuant to a disclosure statement. It is further contended that the petitioner is in custody since 18.02.2015 and the case is triable by a Magistrate.

Challan is stated to have been presented and the case is at the stage of recording of prosecution evidence.

Learned State Counsel, assisted by PSI Kuldeep Singh, submits that earlier the petitioner has been declared as proclaimed offender and the case is now fixed for recording of prosecution evidence.

Without commenting on the merits of the case, keeping in view the custody period, the fact that case is triable by a Magistrate and trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on regular bail subject to heavy surety to the satisfaction of CJM/Duty Magistrate, Sonapat.

Disposed of.

January 27, 2016

Gagan

**(JASWANT SINGH)
JUDGE**