

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

**CRM-M No.8895 of 2016 (O&M)
Date of Decision: 03.05.2016**

Badan Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Preetinder S. Ahluwalia, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Makhan Singh.

JASWANT SINGH, J. (Oral)

Present 2nd petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Badan Singh in case FIR No.115 dated 30.10.2015, for the offences punishable under Sections 465, 466, 467, 471 and 409 of the Indian Penal Code (for short 'IPC'), registered at Police Station Chamkaur Sahib, District Ropar (**Annexure P-1**).

As per the allegations levelled by the Cooperative Society, the petitioner/accused while working as a Secretary of the complainant Society had opened fake accounts in the name of few persons/dead persons and operated the same for his personal benefits.

It is contended that the petitioner is in custody since 08.12.2015 and after presentation of the challan on 08.02.2016, he has been charge-sheeted on 02.03.2016 for the offences under Sections 409, 465, 466, 467 and 471, IPC, whereby the offence of cheating under Section 420, IPC has been deleted. Learned Counsel for the petitioner further submits that the case is triable by a Magistrate.

Learned State Counsel, assisted by ASI Makhan Singh, does not dispute the custody period, qua the fact regarding the charge, as also the evidence of 12 cited prosecution witnesses is yet to commence.

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

Disposed of.

May 03, 2016

Gagan

(JASWANT SINGH)
JUDGE