

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 211

Case No. : Crl. Misc. No. M-149 of 2017 (O&M)

Date of Decision : February 20, 2017

Rohit Mahajan @ Nona Petitioner

vs.

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

Present : Mr. Vaibhav Narang, Advocate
for the petitioner.

Ms. Dhivya Jerath, Advocate
for the State of Punjab.

Mr. Nitin Thatai, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. :

Crl. Misc. No. 4942 of 2017 :

Through the present application, Annexures R-1 and R-2 are sought to be placed on record.

Allowed as prayed for.

The application stands disposed of.

Main Case :

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.111 dated 08.04.2015, registered under Sections 420, 467, 468, 471, 120-B IPC, at Police Station Civil Lines, District Amritsar.

Seeking regular bail for the petitioner, learned counsel for the

petitioner submits that the petitioner has been in custody for over 17 months; there is no other criminal case pending against him; since challan has been filed, the petitioner is no longer needed for investigation purposes; only two, out of 34 prosecution witnesses, have been examined and therefore, the trial is likely to take a long time to conclude.

Learned State counsel, as also counsel for the complainant oppose the grant of bail on the ground that the alleged fraud is for a huge amount of ₹ one crore.

It is not disputed that the petitioner has been in custody for over 17 months and is no longer needed by the investigating agency. It is further not disputed that no other criminal case is pending against the petitioner and further that only two out of 34 prosecutions witnesses have so far been examined and therefore, it is likely that the trial may take a long time to conclude.

In view of the above, the petition is allowed and the petitioner is directed to be released on regular bail.

Bail to the satisfaction of the trial court.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

If the petitioner is found indulging in any other criminal act or misusing the concession of bail granted by this Court, it would be open to the State to seek cancellation of bail granted through this order by filing an appropriate application before the competent Court/this Court.

(DEEPAK SIBAL)
JUDGE

February 20, 2017

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<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>