

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16466 of 2017
Date of Decision: 22.05.2017

Ankush Makkar

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Saurabh Kapoor, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 140 dated 16.08.2016 registered for offences punishable under Sections 193, 419, 420, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Division no. 5, Ludhiana.

Heard.

Notice of motion.

On asking of the court, Ms. Bhavna Gupta, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

As per case of prosecution, Paramjit Kaur and Kartar Singh got prepared Aadhaar Cards in the name of Harbans Kaur and Surjit Singh, respectively. The dispute pertains to property of Wazir Singh, which he had transferred in favour of his daughter-in-law, namely, Kamaljit Kaur by way of unregistered Will. Surjit Singh and other got prepared another Will of the

property of Kamaljit Kaur by showing her dead and alienated the property vide mutation no. 7846 dated 20.05.2016.

Allegations against the petitioner is that he connived with Kartar Singh and Paramjit Kaur and had prepared their fake Aadhaar cards as he was employed with the agency preparing Aadhaar cards.

The petitioner was arrested on 02.03.2017. Challan after investigation has been presented against him and charges have also been framed in this case.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Ankush Makkar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

May 22, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No