

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-202 of 2017

Date of Decision: 23.01.2017

Sandeep

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Namit Sharma , Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

Present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner in case FIR No. 525 dated 19.05.2016, registered for offences punishable under Sections 406, 417, 418, 420, 465, 467, 468, 471, 482 and 419 read with Section 120-B of Indian Penal Code (for short 'IPC'), at Police Station Chandni Bagh, Panipat.

Heard.

Notice of motion.

On asking of the court, Mr. Vikramjit Singh, Addl. AG, Haryana, 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 him.

As per case of prosecution, a fabricated cheque of the account of Ms. Tanvi Batra, resident of House No. 549, Sector 11, HUDA, Panipat was prepared and presented to the bank by co-accused Nathi Ram and Mohd. Sahid and a sum of ₹15,65,895/- was withdrawn.

Learned State counsel submits that co-accused Nathi Ram and Varinder during investigation have suffered disclosure statement that they have prepared the cheque in conspiracy with petitioner-Sandeep. The petitioner is involved in another case bearing FIR No. 656 of 2016, registered at Police Station Chandni Bagh, Panipat. It is further submitted that the petitioner was arrested in this case on 25.08.2016. Challan against the petitioner has been presented but the matter is still under investigation against other accused and also in case bearing FIR No. 656 of 2016.

Keeping in view above facts 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-Sandeep 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

January 23, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No