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

CRM-M-25930 of 2017

Date of decision: July 26, 2017

Vinod Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Ms. Samina Dhir, DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.3 dated 12.05.2017, under Sections 420, 255, 256, 257, 258, 259, 467, 468, 471 of Indian Penal Code, 1860 and Sections 7, 13(2) of Prevention of Corruption Act, 1988 (for short 'PC Act'), registered at Police Station Vigilance Bureau, District Ludhiana. Petitioner was arrested on 12.05.2017 and is in jail since then.

Learned State counsel vehemently opposes the petition for grant of bail to the petitioner on the ground that the investigation is still on and has not yet been completed.

It is not in dispute that the period of almost 2 and a half months has already passed and the co-accused has also been granted regular bail. It is true that the allegations against the petitioner are regarding forgery etc. and further that the stamp vending licence of the

petitioner has been cancelled by the State. In that view of the matter and in the absence of any other offence against the petitioner, I think, there is no point in continuing the detention of the petitioner as under trial for facing the trial. It is not understood as to how, the prosecution has lodged FIR under Section 13(2) of the PC Act in the present case.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well. Prosecution shall examine the aspect of lodging FIR under Section 13(2) of PC Act in correct perspective.

(A.B. CHAUDHARI)
JUDGE

July 26, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No