

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

**Criminal Misc. No. M-37593 of 2017
Date of Decision:-25.10.2017**

Sanjeev Joshi

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM:- HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present:- Mr. R.S. Cheema, Sr. Advocate with
Mr. R.K. Trikha, Advocate
for the petitioner.

Mr. Sukant Gupta, Addl. P.P. for U.T. Chandigarh.

FATEH DEEP SINGH J.(Oral)

The allegations against the petitioner Sanjeev Joshi in this regular bail application under Section 439 Cr.P.C. in FIR No.237 dated 4.11.2016, under Sections 420, 467, 468 and 471 IPC, Police Station Manimajra, Chandigarh, which was got registered against the petitioner by the complainant Sudha Joshi, who is his mother, are that the petitioner was instrumental in forging certain property documents as well as in siphoning money from the bank on the basis of forgery and fabrication as the entire property was owned by Lalit Joshi, deceased father and husband respectively of the petitioner and the complainant, leading to registration of the FIR. The petitioner was arrested in the case on 22.8.2017.

The contentions of learned counsel for the petitioner Mr. R.S. Cheema, Sr. Advocate assisted by Mr. R.K. Trikha, Advocate that the petitioner is behind the bars since 22.8.2017 and that it is a pure family dispute with regard to the property matter and the only varacity of the documents will be seen during the trial, which is not likely to be concluded in near future.

Though, Mr. Sukant Gupta, learned Addl. Public Prosecutor for U.T. Chandigarh assisted by SI Sohan Lal strongly opposed the grant of bail to the petitioner on the ground that the petitioner dishonestly by forging the signatures transferred the money of his father to his account and played a fraud upon the complainant and therefore not entitled for any relief and there is every likelihood that after getting bail, he will influence the witnesses.

Appreciating the submissions of two sides admittedly the petitioner is behind the bars since 22.8.2017 and that the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, culpability will be determined at the trial, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

October 25, 2017
Vijay Asija

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No