

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-42836 of 2017
Date of Decision: 17.11.2017

Brij Mohan

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajiv Joshi, 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.158 dated 27.09.2017 registered for offences punishable under Sections 406, 420, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Navi Baradari, District Jalandhar.

Heard.

As per allegations in the FIR, complainant had contacted M/s Ram Finance Services owned by Anuj Makkar, Mehta Complex-4, Police Line, Jalandhar for a loan of ₹50 lacs. He was asked to pay ₹1 lac, which he paid to Inderjit and Ankush, (who have not yet been arrested by the police). Another sum of ₹10,000/- was also paid to them for purchase of stamp papers. The loan of complainant was not sanctioned and when he enquired from the office, he was handed over a paper by the petitioner showing that his loan has been cleared by Punjab Gramin Bank. On enquiry that document was found to be fake.

The petitioner has been arrested in this case on 28.09.2017. The

investigation is still under progress. The other accused, named in the FIR, are yet to be arrested. Two accused, namely, Anuj Makkar and Ravi Kumar have already been allowed anticipatory bail.

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-Brij Mohan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 17, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No