

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

CRM -M-8809 of 2017 (O&M)

Date of decision: 30.05.2017

Pardeep Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.K. Saini, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by SI Durga Parsad.

Respondent No.2 in person.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 566 dated 12.07.2015, registered under Sections 406, 420, 506, 120-B of IPC and Section 138 of Negotiable Instruments Act, at Police Station Camp Palwal, District Palwal.

It is contended that the petitioner neither raised any loan from the complainant nor issued any cheque in favour of the complainant/respondent No.2. The foundation of the FIR is a writing (possession certificate) dated 01.07.2014 which is taken on record as Mark 'A', wherein the petitioner admits the entire claim of Rs.40 lakh, however, it is asserted that the petitioner did not sign the said

document. The FSL report with regard to veracity of the signatures of the petitioner was not obtained. The challan stands presented. The petitioner is in custody since 20.08.2015.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the period of incarceration and the fact that the complainant stands examined; out of total 12 PWs, only 09 PWs have been examined so far; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

30.05.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No