Sr. No.231

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-14349 of 2018 (O&M)
Date of Decision: 18.04.2018

Mukesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Gursimran Singh Madaan, Advocate,
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.10 dated 20.01.2018, under Section 406, 420 IPC, (Sections 467, 468, 471, 120-B IPC added later on), registered at Police Station Panjokhra, District Ambala.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Rajiv Kumar, proprietor of M/S Balaji Oil Company, Panipat.

Allegations were levelled against co-accused, namely, Tirath Sharma and Jaideep Aggarwal as regards having purchased material amounting to Rs.4,98,000/- approximately and having been furnished payment by way of a cheque and which subsequently upon presentation was dishonoured.

As per prosecution version, the cheque in question had been issued by co-accused who claimed himself to be the

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proprietor of M/s Global Agriculture Industries, Mohali and even documents furnished in such regard have been found to be forged and fabricated.

Insofar as the present petitioner is concerned, he is sought to be implicated on the basis that he was the driver as also owner of a commercial vehicle which had transported the goods that had been purchased by the co-accused.

Petitioner was arrested on 10.02.2018.

Challan in the present case has been presented and charges are yet to be framed.

Trial is at the initial stage and would take time to conclude.

It is not the case where the petitioner if granted benefit of bail would be in a position to hamper and interfere the course of a free and fair trial.

Keeping in view the allegations against the petitioner as also the length of incarceration, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

18.04.2018 **(TEJINDER SINGH DHINDSA)**
vandana **JUDGE**

Whether speaking/reasoned Yes
Whether Reportable No

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