

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21387-2018 (O&M)
Date of Decision: 04.07.2018

Rohit Sethi

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Puja Chopra, Advocate, for the applicant-petitioner.

Ms. Akshita Chauhan, AAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

CM Nos. 22317-18 of 2018

By the first application (CM No. 22317 of 2018), the applicant-petitioner seeks to place on record the charge-sheet as regards the charges framed against him by the trial Court, and by the 2nd application (CM No. 22318 of 2018) he seeks that the offences added in the charge-sheet, punishable under Sections 201 and 182 IPC, may be also added in the prayer clause of the accompanying petition, by which he seeks the concession of bail.

Notice in the applications to the counsel opposite.

On the asking of the Court, Ms. Akshita Chauhan, AAG, Punjab, accepts notice on behalf of the non-applicant/respondent.

Advance copies of the applications, in any case, are seen to have been supplied to the office of the Advocate General, Punjab.

Looking at the nature of the applications, I see no reason to disallow them and consequently, they are both allowed.

CRM-M-21387 of 2018

Though the application (CM No. 22317 of 2018) has been allowed today itself by which learned counsel for the petitioner wishes to place on record the charge-sheet showing the charges framed against the petitioner by the learned trial Court, the report under Section 173 Cr.P.C. having been already submitted, I see no significance in that for the purpose of the present bail application, in view of the fact that as put to learned State counsel, she after taking instructions from ASI Narinder Singh, has submitted that the petitioner has been in custody for about 06 months, with no other criminal case registered against him and that there are 21 prosecution witnesses that remained to be examined.

Keeping in view the above, even though the petition earlier filed under Section 439 Cr.P.C by the petitioner, i.e. CRM-M-6858 of 2018, was dismissed by this Court on 26.02.2018, more than 04 months having gone by since then, the present petition is allowed and the petitioner is ordered to be admitted to bail upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court, during the pendency of the trial, in respect of all the offences that he has been charged with.

The trial Court would however ensure that the terms of the bail are sufficient to try and ensure that the petitioner would not abscond, in view of the fact that the embezzlement alleged against the petitioner is about Rs. 16,00,000/-, with learned State counsel specifically having expressed an apprehension with regard thereto.

July 04, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes