

CRM-M-21648-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21648-2018

Date of Decision: 25th May, 2018

Rajinder Mehta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Gursimranjit Singh, Advocate, for the petitioner.

Mr. Kuldeep Singh, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.34, dated 08.02.2017, registered at Police Station Division No.5, Ludhiana, under Sections 465, 467, 468, 471, 120-B, 166 and 167 of the Indian Penal Code.

It is the contention of the learned counsel for the petitioner that although, the challan has been presented against the petitioner but till date, no charge has been framed against him and he had surrendered before the trial Court on 23.02.2018 and is in custody since then. He states that the allegations against the petitioner are with regard to forgery and earlier also, FIR No.123 dated 13.06.2012, Police Station Division No.5, Ludhiana, was registered against him with the same allegations as in the present case. Counsel states that co-accused of the petitioner, namely, Ritu Mehta, has been granted the benefit of regular bail by this Court vide order dated

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01.05.2018, passed in CRM-M-2420-2018, titled as 'Ritu Mehta Vs. State of Punjab'. He further states that the case is triable by a Magistrate and the trial is not likely to conclude in near future as charge has not been framed till date. He, therefore, prays for grant of benefit of regular bail to the petitioner during the pendency of the trial.

Counsel for the State, on instructions from ASI Baldev Singh, Division No.5, District Ludhiana, submits that there are certain allegations against the petitioner and therefore, he should not be granted the benefit of regular bail. He, however, could not dispute the fact that co-accused of the petitioner, namely, Ritu Mehta has been granted the benefit of regular bail by this Court and the charge has not been framed against the petitioner till date.

I have considered the submissions made by the counsel for the parties and keeping in view that the petitioner is in custody for more than three months and trial is not likely to conclude in near future, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

(AUGUSTINE GEORGE MASIH)
JUDGE

25th May, 2018
Harish

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