

Crl. Misc. No. M-23518 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-23518 of 2018

DATE OF DECISION:21.08.2018

Chandan Madaan

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Abhishek S. Bhaskar, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab.

Mr. Saurabh Bhardwaj, Advocate
for the complainant.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner-Chandan Madaan in case FIR No. 80 dated 26.8.2016 registered under Sections 420,465,467,471,120-B IPC at Police Station Sardulgarh, District Mansa (Punjab).

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, he was not involved. Leaned counsel further contends that out of total 12 cases, the petitioner has been granted benefit of regular bail in 8 cases. Learned counsel also contends that the beneficiaries, who have availed the facility of loan, have either been released on regular bail or anticipatory bail and the petitioner

has been arrested initially on 14.7.2017.

Learned counsel for respondent-State has not disputed the release of the petitioner on bail in 8 cases and also the fact that the petitioner has initially been arrested on 14.7.2017. It has also not been disputed by learned State counsel that co-accused of the petitioner have either been released on regular bail or anticipatory bail but he opposed grant of regular bail to the petitioner on the ground that many cases are pending against him.

Similarly, learned counsel for the complainant has opposed grant of regular bail to the petitioner on the ground that the petitioner is a habitual offender as number of cases have been registered against him.

By considering the submissions made by learned counsel for the petitioner and the facts that the petitioner has been granted bail in eight cases, wherein, allegations are identical; co-accused of the petitioner have already been released on regular bail or anticipatory bail; offence is triable by Magistrate; challan has already been presented and no purpose would be served by keeping the petitioner behind the bars, the present petition is allowed. Petitioner, namely, Chandan Madaan is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

August 21, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No