

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

CRM-M-26333-2017 (O&M)
Date of decision : 25.01.2018

Kunal Janeja @ Anuraj Sharma @ Anurag Saikeya

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

Ms. Sudeepti Sharma, Addl.A.G., Punjab,
assisted by ASI Baj Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.43 dated 03.10.2012, registered under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, at P.S. Airport, Amritsar.

This is the second bail petition moved by the petitioner under Section 439 Cr.P.C.

Contends that the petitioner has been implicated in the instant FIR on the basis of disclosure statement of co-accused Vimal Kumar, who has already been admitted to bail by the trial Court. No action has been taken against co-accused Sonu and Amrik Singh and others. The petitioner is behind the bars since 14.02.2016.

Learned State counsel, on instructions, submits that the petitioner is the main accused. Proceedings are going on against co-accused, Vimal Kumar, who has jumped bail, for declaring him as proclaimed offender. Out of 23 prosecution witnesses, 10 have already

been examined.

Heard.

Admittedly, it is a magisterial trial. Out of 23 prosecution witnesses, only 10 have been examined so far, thus, it can safely be inferred that the conclusion of trial may take considerable time. The petitioner is in custody since 14.02.2016. Therefore, this Court feels that no useful purpose would be achieved in keeping the petitioner under further incarceration.

Keeping in view the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing indemnity bonds in the sum of Rupees fifteen lakh, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. The petitioner shall also surrender his passport, if any, held by him, with the trial Court and shall not leave the country without prior permission of this Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

25.01.2018
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(JITENDRA CHAUHAN)
JUDGE

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