

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

CRM-M-34163-2018 (O&M)

Date of decision: 15.10.2018

Inder Mohan @ Billu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. S. Bawa, Advocate
for the applicant-petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-36626-2018

Allowed as prayed for.

Copy of the FIR is taken on record.

CRM-M-34163-2018

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 79 dated 02.05.2018, under Sections 420, 465, 467, 468, 471 and 120-B of the IPC, registered at Police Station Cantonment, Amritsar.

Learned counsel for the petitioner submits that the petitioner was arrested on 19.05.2018 and the challan stands presented and even charges have been framed. It is further submitted that the offences are triable by the Court of a Magistrate.

Learned counsel for the petitioner further submits that as per allegations in the FIR, the complainant had paid an amount of ₹17 Lakh to four persons, namely Amit Sharma, Shushma Sharma w/o Amit Sharma,

Didar Singh and petitioner herein. It is further submitted that the petitioner was in fact working as Peon in the office of the aforesaid persons and aforesaid Amit Sharma and his wife Sushma Sharma are residing abroad. It is further stated that petitioner is not involved in any other case.

Learned State counsel, on instructions from ASI Harjit Singh, has not disputed the factual position, however, submits that PO proceedings have been initiated against aforesaid three co-accused persons and the investigation is complete qua the petitioner herein; challan stands presented and charges have been framed.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioner is in judicial custody since 19.05.2018, he is no more required for any further investigation as the challan stands presented and also considering the fact that the offences being triable by the Magistrate, it will take a long time in conclusion of the trial; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that in case any of the co-accused of the petitioner is arrested and the petitioner is required for any further investigation, he will join the investigation on receiving a notice from the Investigating Officer.

October 15, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*