

Crl. Misc. No. M-37216 of 2018

Date of Decision: September 04, 2018

Sri Ram

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. A.S. Barnala, Advocate
for the petitioner

Mr. J.S. Walia, Sr. DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 97 dated 05.04.2017 under Sections 420, 419, 467, 468, 471, 120-B IPC registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner submits that perusal of the order dated 19.07.2017, whereby the petition for grant of regular bail has been declined by the learned Additional Sessions Judge, Barnala shows that after the investigation of the case the police has not found the petitioner to be accomplice in the commission of the crime of cheating. The petitioner has been in custody since 24.04.2017 and the trial is in progress but may not be concluded at an early date and, therefore, no useful purpose would be served by keeping the petitioner in custody indefinitely.

Learned State counsel submits that the petitioner and his co-accused have defrauded the Bank of a sum of Rs. 76 lacs. There is another case under Sections 420, 419, 467, 468, 471, 120-B IPC pending against the petitioner and that out of total 46 PWs, 37 PWs have already been examined, thus, the trial will be concluded at an early date and the petitioner should not be released on regular bail.

This can not be denied that perusal of the order dated 19.07.2017 shows that no particular allegation had been made against the petitioner. Considering the fact that the petitioner has been in custody since 24.04.2017 as well as the fact that the trial will take some time to be concluded, I deem it appropriate to allow this petition and grant regular bail to the petitioner.

The petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

September 04, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No