

Sunil Kumar

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. M.K. Singla, 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. 1 dated 04.01.2017 under Sections 420, 465, 467, 468, 471, 120-B IPC (Section 419 IPC added later on) registered at Police Station Bhikhi, District Mansa.

The contents of the FIR show that certain persons impersonated the original owners of the land in dispute and sold the same. Thereafter, the land was further sold. The FIR was registered against the persons who impersonated the original owners as well as the persons who purchased the land.

Learned counsel for the petitioner submits that the petitioner has been named in this FIR after the submission of the challan. His role is allegedly that he connived with the accused persons to forge the Aadhar Cards of the original owners. It is submitted that the petitioner was working in a private company engaged in the task of preparing Aadhar Cards and that he did not connive with the accused persons. The accused persons produced Voter Identity Cards on the basis of which the Aadhar Cards were prepared.

Learned State counsel submits that supplementary statement was suffered by one of the legal representative of the original owners and according to

the said statement the petitioner was also involved in the crime.

Learned State counsel has read over the supplementary statement referred to hereinabove. According to the same, the petitioner is alleged to have prepared forged Aadhar Cards. This is not disputed by learned counsel for the petitioner as his case is that the Aadhar Card was prepared on the basis of information supplied and there was no *mens rea* on the part of the petitioner. Now that the investigation is complete and the main accused have been released on regular bail, no useful purpose would be served by keeping the petitioner in custody during the pendency of the trial.

In view of the above, 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 12, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No