

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-42623 of 2018

Date of Decision: 03.10.2018

Sanjay Sharma

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Ms. Benti Kaur for
Mr. Kawaljyot Singh, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.175 dated 01.06.2018 under Sections 177, 199, 200, 419, 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Division No.5, District Ludhiana.

The allegations against the petitioner are that he has furnished bail bonds and surety bonds on behalf of accused Parminder Singh son of Balwinder Singh by using forged voter card and furnished false affidavit by impersonating himself as Arun Dang son of Joginder Pal in the Court and the accused Parminder Singh has been declared proclaimed offender by the Court.

Learned counsel for the petitioner has argued that after submission of challan, though charges have been framed against the petitioner but prosecution evidence has yet not been started. She further submits that the offence in this case is triable by a Magistrate and the petitioner is in custody since 01.06.2018. Trial will take sufficient time for its conclusion.

Learned State counsel, on instructions from SI Baldev Singh, submits that the allegations against the petitioner do not warrant his release on bail, as the State is in the process of collecting evidence against the petitioner and there is every possibility that the petitioner might have committed similar other offences.

Having heard learned counsel for the parties and considering the fact that the offences so committed by the petitioner are triable by a Magistrate and no other case has been pointed out against him, coupled with the fact that the petitioner is in custody since 01.06.2018 and trial in the case will take long time and no useful purpose will be served to keep the petitioner in custody, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

October 03, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No