

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

CRM-M No.47190 of 2018

Date of Decision: 13.11.2018

Vipan Nagi and others

....Petitioners

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. R.S. Cheema, Sr. Advocate
with Mr. Arshdeep Singh Cheema, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. D.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

Petitioners, namely, Vipan Nagi, Aditi Walia and Dharmendra Tiwari have approached this Court by way of filing the present petition under Section 439 Cr.P.C for grant of regular bail to them in case FIR No.147 dated 24.05.2014 registered under Sections 420, 406, 467, 468, 471, 120-B, 409 and 477-A IPC at Police Station City, Kapurthala.

Learned senior counsel for the petitioner submits that the FIR, in question, is of the year 2014 and period of more than four years have expired. The challan has been presented. The custodial interrogation of the petitioners is not required. During investigation also, the petitioners were not arrested and now the case is fixed for framing of charge. It is also the argument of learned senior counsel that there is no allegation of corruption against any of the accused. Co-accused of the petitioner, namely, Sonal Gupta has already been released on regular bail. The petitioners are in custody since 08.10.2018. The offence is triable by the Magistrate.

Learned State counsel has not disputed the custody period and also the stage of trial. He has also admitted that the petitioners were never arrested during investigation and their custodial interrogation is not required.

Keeping in view the submissions made by learned senior counsel and by considering the fact that the investigation continued for a period of four years and petitioners were never arrested; now the challan has been presented and as such, the custodial interrogation of the petitioners is not required; the allegations are the matter of evidence which shall be tested by the trial Court; there is no allegation of corruption against any of the petitioners and co-accused, namely, Sonal Gupta has already been released on regular bail, accordingly, the present petition is allowed and petitioners, namely, Vipin Nagi, Aditi Walia and Dharmendra Tiwari are directed to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

13.11.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No