

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

**CRM No.M-47776 of 2017
Decided on: 09.01.2018**

Anil Johar @ Anil Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Partap Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Veneet Chaudhary, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.186 dated 02.08.2017, for offence punishable under Sections 406, 420, 467, 468, 471, 472 and 120-B of the Indian Penal Code (in short 'IPC') registered at Police Station Mullana, District Ambala.

Counsel for the petitioner has submitted that on an earlier occasion, the petitioner has submitted a representation against one Karan Singh – Investigating Officer/Station House Officer and on that account, he has been falsely implicated. It is further submitted that the petitioner is in judicial custody since 30.08.2017 and the investigation is completed and after submission of report under Section 173 Cr.P.C., charges have been framed. It is also submitted by counsel for the petitioner that the offences are triable by the Court of Magistrate and it will take long time in conclusion of the trial as the prosecution evidence

is yet to start.

On the other hand, counsel for the State, on instructions from HC Kamaljeet Singh, assisted by counsel for the complainant has stated that there are serious allegations of cheating against the petitioner and one more FIR has been registered against him.

Without commenting anything on merits of the case and considering the fact that the investigation has been completed; charges have already been framed; offences are triable by the Court of Magistrate; the petitioner is in judicial custody since 30.08.2017 and the prosecution evidence is yet to start, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

09.01.2018
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No