

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

**CRM-M No. 4929 of 2019
Date of Decision:-06.02.2019**

Shri Ram Kaushik

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Vibhor Bansal, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Shri Ram Kaushik has filed this petition seeking regular bail in case FIR No.310 dated 12.11.2018, under Sections 406, 419, 420, 467, 468, 471, 447, 511 and 120-B IPC, registered at Police Station Dera Bassi, District SAS Nagar (Mohali). The petitioner is in custody since his arrest on 24.11.2018.

Initially, the FIR was registered on the basis of statement of Anant Ram s/o late Dhani Ram and according to him, the occurrence took place on 07.11.2018, when they came to know that some persons with the help of JCB machine were trying to take possession of the land owned by

the complainant. It was alleged in the FIR that Tarsem Singh, Fuljit Singh, Jatinder Kumar, Shri Ram Kaushik (petitioner herein) and Rajeshwar Kumar along with other unknown persons, in connivance with each other and by impersonating as Anant Ram, prepared his forged Aadhar Card and PAN and got prepared forged agreement to sell of the land belonging to complainant. On the basis of his statement, the FIR was registered.

Learned counsel for the petitioner further contends that as per the allegations, it is seriously debatable as to any offence regarding forgery or cheating is made out as there are no particulars of any agreement to sell etc. have been given. It is further pointed out that the petitioner is presently in judicial custody and is no more required for investigation. It is further pointed out that the offences are triable by Magistrate and the trial is likely to consume some more time.

On the other hand, learned State counsel has opposed the bail on the ground that accused, namely, Gurinder Singh @ Tori is yet to be arrested. However, it is not in dispute that the petitioner is in judicial custody and he is no more required for further investigation at this stage.

As the investigation is complete as far as petitioner is concerned and the trial is likely to consume more time, no useful purpose would be served by keeping the petitioner behind the bars.

Therefore, considering the above background, stage of the investigation/trial, further detention of the petitioner may not be justified. Accordingly, without commenting any expression of opinion on merits of the case, it is ordered that the petitioner, namely, Shri Ram Kaushik be

released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

February 06, 2019
Vijay Asija
Whether speaking/reasoned
Whether Reportable

(MANOJ BAJAJ)
JUDGE
Yes / No
Yes / No