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

CRM-M-5103 of 2019

Date of decision: May 30, 2019

Pala Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.P.S. Deol, Senior Advocate with
Mr. B.S. Makkar, Advocate for the petitioner.

Mr. C.L. Pawar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.98 dated 23.10.2016, under Sections 420, 465, 467, 471, 120-B, 201 of Indian Penal Code, 1860, registered at Police Station Sardulgarh, District Mansa.

As per prosecution case, one Surjeet Singh along with Gurpreet Singh (guarantor) and other co-accused availed loan from the Bank to the tune of ₹45 lakhs, on the basis of forged and fabricated revenue record.

Contends that petitioner is in custody since 10.09.2018 and after investigation, report under Section 173 of Cr. P.C. has already been submitted, and now the case is fixed for consideration of charges; thus, the trial will take long time to be concluded. Also contends that petitioner is not beneficiary rather he was merely working in a Photostat shop at the Court premises.

Learned State counsel, on instructions from Assistant Sub Inspector Jarnail Singh has acknowledged the above factum of investigation, but opposed the prayer of the petitioner, on the ground that petitioner is also a co-accused in forging and fabricating the documents in order to avail loan from the Bank.

Since the investigation is already over and petitioner is not the beneficiary in this case. The trial is likely to take sufficient long time; thus, further incarceration of the petitioner will not serve any purpose.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

May 30, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**