

S.No.215

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

CRM-M-5562 of 2019 (O&M)

Date of Decision:25.03.2019

Ajaypal SinghPetitioner

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rakesh Sobti, Advocate
for the petitioner.

Mr. P.S. Walia, AAG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.174 dated 24.08.2017 registered under Sections 420, 419, 467, 468, 471 IPC at Police Station Cantonment, Amritsar.

Learned counsel for the petitioner submits that the case against the petitioner is concocted only because there had been some other litigation between the petitioner and the complainant on account of dishonor of the cheque. Otherwise, the name of the petitioner is not even mentioned in the FIR. The allegation in the FIR is regarding making application for taking duplicate registration certificate of Indica Car bearing registration No.PB02-BY-0907, which the petitioner is alleged to have purchased from the complainant. However, even after investigation, the Police have not been able to collect any evidence connecting the petitioner to the application; made for getting the duplicate registration certificate of the vehicle. It is further submitted that the petitioner is in custody since 12.11.2018, challan has been filed and even the charge has been framed by the Court.

Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned State Counsel, being instructed by ASI Jaspal, submits that the signatures of the petitioner have been sent to the FSL; for seeking a report qua matching of the signatures of the petitioner on the abovesaid application. However, it is not denied that besides this step of getting matched the signatures, there is no direct evidence connecting the petitioner to the alleged incident of making application. It is also not disputed that the petitioner is in custody since 12.11.2018 and that the charge has been framed in this case.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

March 25, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No