

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10254 of 2019

DATE OF DECISION: APRIL 10, 2019

CHANDER MOHAN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. HARSHIT JAIN, ADVOCATE FOR THE PETITIONER.
MR. HARSIMAR SINGH SITTA, AAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner Chander Mohan has filed this petition seeking regular bail in case FIR No.344 dated 18.10.2018 under Sections 177, 199, 200, 419, 420, 465, 467, 468, 471 IPC registered at Police Station Division No.5, Ludhiana, District Ludhiana.

The FIR was recorded on the basis of letter No.789 dated 18.10.2018 by Special Judge, Ludhiana wherein it was alleged that Arun Sharma son of Ashwani Kumar was granted bail in FIR No.117 dated 17.04.2018 under Section 22 of the NDPS Act, registered at P.S. City Khanna, subject to his furnishing bail bond in a sum of 1 lakh alongwith one surety of the like amount. As per the allegations, Manjit Kaur wife of Iqbal Singh furnished surety bond and she produced one Gurdeep Singh for the purposes of her identity. Said person Gurdeep Singh produced an Aadhar Card bearing No.481352879015 which upon verification was found to be not in existence. An FIR was registered on the ground that the person has

produced a forged Aadhar Card as proof of his identity in conspiracy with surety Manjit Kaur.

Learned counsel for the petitioner contends that the petitioner is in custody since 18.10.2018. The investigation of the case is complete and the charges have also been framed. According to him, the case is triable by a Magistrate and the petitioner has nearly spent 6 months in custody so far.

Learned State counsel has opposed the bail application. However, it is not disputed that the challan stands filed. According to him, the prosecution is yet to examine witnesses.

Considering the above, the nature of trial which is triable by Magistrate and the same is likely to consume considerable time and the fact that the investigating is complete and the challan stands filed, further custody of the petitioner may not be justified. Therefore, without commenting anything on the merits of the case, the petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate, Ludhiana.

The petition is allowed.

April 10, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No