

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-12923 of 2019
Date of Decision: 02.07.2019

Sharad Kumar

....Petitioner

VERSUS

State of U.T. Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Sawhney, Advocate
for the petitioner.

Mr. Rajeev Anand, Addl. P.P., UT Chandigarh.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.177 dated 01.09.2018 registered for offences punishable under Sections 419, 420, 467, 468, 471 and 120-B of Indian Penal Code (for short, "IPC") at Police Station Sector 3, Chandigarh.

Heard.

Learned State counsel on instructions from Insp. Ranbir Singh submits that during scrutiny of papers of Tier-II Descriptive Exam conducted on 28.01.2018 it transpired that in place of petitioner, who had applied for the post of Postal Assistant, some other person had appeared. Handwriting of petitioner was got compared with handwriting of descriptive exam, which confirmed suspicion and his candidature was cancelled. He was arrested on 23.01.2019 and after completion of investigation challan against him was presented in Court on 27.02.2019. The person, who impersonated the petitioner, could not be apprehended so far as his

whereabouts have not been truly disclosed by the petitioner.

Investigation in this case is complete and trial is pending before learned Magistrate in District Courts, Chandigarh. So far, no witness is stated to have been examined.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sharad Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

July 02, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No