

**206/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-39014-2018 (O&M)

Date of decision:09.01.2019

Gurinder Singh

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Guninder Singh Brar, Advocate
for the petitioner.

Mr. Amit Kumar Goyal, APP, U.T., Chandigarh.

RAJBIR SEHRAWAT, J. (ORAL

Present petition has been filed under Section 439 of Cr.P.C. for seeking bail pending trial in FIR No.155 dated 12.05.2018 for the offences punishable under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station Sector-17, Chandigarh.

Learned counsel for the petitioner contends that there is not even allegation that the petitioner helped main accused Rajinder Singh in obtaining the photocopies of the cheques from Modern Automobiles, on the basis of which, further, some cheques were fabricated by the main accused. The only allegation against the petitioner is that one of the forged cheque has been encashed in the account of the present petitioner. It is contended that the petitioner has not deposited the said cheque in his account. This cheque seems to have been deposited in his account by somebody else; without knowledge of the petitioner. Further, it is submitted that the challan has already been filed in this case and charge has also been framed. The petitioner is in custody since 13.05.2018 and there is no other case against him. The trial shall take a long time.

On the other hand, learned counsel for U.T, Chandigarh, being instructed by HC Baldev Singh, submits that the petitioner is involved in forgery and drawing the money from the accounts of the other persons. Therefore, the petitioner does not deserve any concession of bail. The petitioner is even beneficiary of one of the forged cheque. However, it is not disputed that challan has already been filed in this case; charge has also been framed and that there is no other case against the petitioner.

In view of the above, without commenting on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

09.01.2019

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No