

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

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CRM-M-32071-2019.

Date of Decision: 05.09.2019.

Davinder Singh Kohli

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Karambir Singh Nalwa, Advocate,
Mr. Adhiraj Thind, Advocate, and
Mr. Yuvraj S. Tiwana, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate General,
Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner—Davinder Singh Kohli son of Uttam Singh Kohli in case F.I.R. No.3 dated 01.03.2018 under Sections 406, 409, 420, 467, 468, 471, 120-B of the Indian Penal Code and Sections 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Phase-I, Mohali.

Learned counsel the representing petitioner contended that the petitioner has been falsely implicated in the case. He is in custody since 09.01.2019. Learned counsel further contended that co-accused Harwinder Singh has already been granted bail by Hon'ble Apex Court in F.I.R. No.10 dated 17.08.2017 and thereafter, he was granted bail in the present F.I.R., by

this Court vide order dated 09.05.2019 passed in CRM-M-14868-2019. Learned counsel further contended that other co-accused have also been admitted to bail in this case. Trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel, while opposing the prayer for bail, contended that allegations against the present petitioner are serious in nature. Moreso, the petitioner does not deserve the concession of bail as he was declared proclaimed offender as he fled away from the country and was arrested only 09.01.2019.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 09.01.2019, co-accused of the petitioner have already been released on bail; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Davinder Singh Kohli, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

05.09.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No