

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

243

CRM-M-35191 of 2019

Date of decision : 12.09.2019

Sukhdev Singh

... Petitioner

Versus

Union Territory, Chandigarh

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vivek Lamba, Advocate for the petitioner.

Mr. Sukant Gupta, Addl. P.P., UT, Chandigarh.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.115, dated 17.03.2018, under Sections 420, 467, 468, 471, 473, 120-B IPC, registered at Police Station Sector 31, Chandigarh.

Learned counsel for the petitioner contend that the allegations against the petitioner are that he had forged the documents for obtaining loans for purchase of 24 scooters in all. These scooters are stated to have been further sold. Learned counsel, however, contend that all the 24 scooters have been recovered and out of them 14 scooters have been released to the dealership namely Bedi Suzuki Auto on 'superdari' and payment of 10 of them has also been made. It is further contended that the petitioner is in custody for one year, five months and fifteen days and is not involved in any other case. 3 out of 50 prosecution witnesses have been examined so far and, therefore, the conclusion of the trial is likely to take sometime. The case against the petitioner is based on documentary evidence which is already in the custody of the investigating officer and is part of the challan filed before the trial Court. All the offences are triable by the Magistrate. He also contends that other similarly situated co-accused have been granted regular bail by this Court in CRM-M-8909 of 2019,

52046 of 2018, 11184 of 2019, 57372 of 2018 and 16407 of 2019, on 02.07.2019.

Learned State counsel, however, contends that the allegations against the petitioner are rather serious in nature as he is alleged to have forged the documents while obtaining loans for the purchase of scooters. The payment pertaining to only 10 scooters has been made while payment of 14 scooters is outstanding. These scooters had been further sold by the accused. However, he is not in a position to dispute that the scooters have been recovered. He also submits that there are 34 prosecution witnesses and not 50 prosecution witnesses as submitted by the counsel for the petitioners and 3 of them have been examined and efforts are being made to expedite the trial. He also contends that the petitioner is involved in five other similar cases. He has filed custody certificate in Court, which indicates that the petitioner has undergone sentence of one year, 05 months and 11 days on 03.09.2019.

Heard.

Therefore, in view of the submissions of learned counsel for the petitioner especially when all the 24 scooters are stated to have been recovered, the petitioner is in custody for one year, five months and fifteen days and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

September 12, 2019

sonia gugnani

SONIA GUGNANI
2019.09.12 18:36
I attest to the accuracy and
integrity of this document

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No