

218

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50053-2019

Date of Decision: 16.12.2019

Akshay Kumar @ Bablu

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Jasneet Mehra, Advocate for
Ms. Rishma Verma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.106 dated 10.05.2001, under Sections 420, 465, 467, 468, 471 and 120-B IPC, 1860 registered at Police Station Division No.6, Jalandhar. He is in custody since his arrest on 30.04.2019.

The FIR in the present case was registered on the basis of secret information that Arvinder Kumar @ Kala and Baboo had purchased one Zen car financed by Country Wide Finance Company and had prepared a forged RC bearing No.PB-08AC-7440 by appending their own signatures and by making seal of DTO. It was further informed that Pal had sold this Zen car to one Parveen Kumar for ₹1,50,000/- by fraud and all these persons were sitting in a park opposite to Gurudwara of Model Town and the said car was parked on the road. If a raid is conducted, they could be nabbed along with the car and forged documents.

Learned counsel for the petitioner contends that earlier the

petitioner was granted the concession of bail in the above said FIR, however, subsequently, he was declared as proclaimed offender. It is pointed out that other co-accused, who faced the trial stand acquitted and the petitioner had been arrested on 30.04.2019. She submits that the petitioner would stand trial and his further custody may not be justified in the given facts.

On the other hand, learned State counsel assisted by HC Manmohan Krishan, has opposed the prayer on the ground that the petitioner absented from trial proceedings for a long time. However, it is not disputed that the other co-accused have already been acquitted.

Considering the above and the custody period of the petitioner, this Court is of the opinion that further detention of the petitioner is not required. Therefore, without meaning any expression of opinion on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Jalandhar.

16.12.2019

*Jasmine Kaur***(MANOJ BAJAJ)**
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No