

206/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28866-2018 (O&M)

Date of decision:09.01.2019

Ashok Kumar

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Karan Vir Nanda, 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 submits that even as per the case of prosecution, the only allegation against the petitioner is that he supplied the photocopy of the cheques of the Company; as well as of the cheques of certain customers; to the co-accused Rajinder Singh. It is further contended that the petitioner is not the beneficiary qua any money; which might have been involved in the cheques allegedly fabricated by co-accused Rajinder Singh; by lifting the signatures from the cheques allegedly supplied by the petitioner. Still further, it is contended that the challan has already been filed in this case and charge has been framed. The petitioner is in custody since 16.05.2018 and he is not required for any investigation purposes. It is also submitted that there is no other case against the petitioner. The trial is likely to take long time. Hence, the petitioner be

released on bail pending trial.

On the other hand, learned counsel for U.T, Chandigarh, being instructed by HC Baldev Singh, submits that the petitioner is involved in heinous crime of cheques fabrication; leading to monetary fraud from the account holder in the banks. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed that challan has already been filed in this case and charge has also been framed. It is also not denied that the petitioner is in custody since 16.05.2018 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

Yes / No

Whether reportable

Yes / No