

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-31945 of 2019
Date of decision:13.01.2020

Rajiv Katoch

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. J.S.Mehndiratta, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Balram Prashar, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

This is the second petition under Section 439 of the Code of Criminal Procedure. The petitioner is seeking regular bail in FIR No.57 dated 18.05.2016 under Sections 420, 467, 468, 471 and 34 of Indian Penal Code (Section 471 IPC added subsequently in report under Section 173 Cr.P.C) registered at Police Station Division No.2, Pathankot.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 23.05.2019. Prior to this, he was behind bars for 03 months and 03 days. Challan against the petitioner was presented by the prosecution on 05.12.2017 and the charges were framed on 13.12.2017.

Learned State counsel has opposed the bail on the ground that the petitioner has cheated the complainant to the tune of Rs.21,15,000/- and had later relied upon medical certificate, which was found to be forged, for

which separate proceedings were initiated against him. On instructions from ASI Harmesh Kumar, learned State counsel has submitted that 01 out of total 15 prosecution witnesses, has been examined.

Heard.

From the above, it is apparent that the trial will take some time to conclude. The petitioner is behind bars for the last more than 10 months. No useful purpose would be served by keeping the petitioner in custody any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate. Keeping in view the past conduct of the petitioner, the trial Court is directed to insist on heavy surety bond.

(SUVIR SEHGAL)
JUDGE

January 13, 2020
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No