

CRM-M-47365 of 2019

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47365 of 2019

Date of decision: 10.01.2020

Rampal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Ram Kumar Singla, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

The petitioner is seeking regular bail in FIR No.341 dated 03.11.2015 under Sections 406, 420, 467, 468, 471 and 120-B of Indian Penal Code registered at Police Station Taraori, District Karnal

Learned counsel for the petitioner has submitted that his first petition for regular bail was dismissed by this Court on 05.10.2018 with the following observations:-

“Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the fact that case is at preliminary stage and there is every chance of tampering with the evidence, I do not find it a fit case where petitioner is entitled to benefit of regular bail.”

He has further submitted that the trial has sufficiently progressed. He has pointed out that pursuant to the order dated 07.12.2019, he alongwith his partner have also furnished 'No Objection/Undertaking' to

Punjab National Bank, Branch Taraori to the effect that they will extend full co-operation to the bank officials in selling the land/property and will not create any hurdle in selling the same.

On instructions from ASI Raghbir Singh, learned State counsel opposed the bail application and submitted that petitioner was involved in many other cases and has committed huge fraud with the financial institutions.

Heard.

The petitioner is in custody since 04.06.2017. As per the learned State counsel, the trial is already at an advance stage. Out of total 19 prosecution witnesses, 13 witnesses have already been examined. Moreover, the petitioner alongwith his partner have already given an undertaking before Punjab National Bank, Branch Taraori to the effect that they will not create any hindrance in selling the land/property.

Keeping in view the above facts and 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 subject. It is made clear that in case, the petitioner or his partner creates any hindrance in selling the land/property mortgaged with the Punjab National Bank, it will be open to the prosecution to seek cancellation of the bail.

January 10, 2020
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/No