

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

213

**CRM-M-50087-2019
Date of Decision : 17.02.2020**

Akshay Kumar @ Bablu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

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

Mr. Sandeep Singh Deol, DAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J. (Oral)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.239 dated 09.11.2001 registered under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Division No.4, Jalandhar.

The above-said FIR was registered on complaint of Parveen Mehta alleging that he purchased 2010 model white colour Maruti Car bearing registration No.PB08-AC-4370 from the petitioner and paid Rs.1,70,000/- to the petitioner who executed requisite documents including the affidavit. When he went to DTO Office, Jalandhar for transfer of the above-said car in his name he came to know that the above-said registration number pertained to scooter. Thereafter, he went to Saini Motors Agency to inquire about the above-said Maruti Car, who told him that the said car had been got financed by the petitioner-Akshay Kumar from Countryvide Finance Company and he had not taken any number of the said car till that date. The petitioner forged Registration Certificate and fraudulently took amount of Rs.1,70,000/- from him.

Learned State Counsel has appeared and opposed the bail application.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has argued that the petitioner had been falsely implicated in the present case. The petitioner had compromised the matter with the complainant and remained under the impression that the case has been withdrawn by the complainant. Trial is likely to take long time and no useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the allegations against the petitioner are serious and the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, the fact that the offences alleged to have been committed by the petitioner are triable by Judicial Magistrate First Class, trial is likely to take long time and no useful purpose will be served by keeping the petitioner in custody but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

17.02.2020

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(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No