

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50932-2019
Date of decision-06.02.2020

Mahinder SinghPetitioner
Vs.

State of Haryana ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok Tyagi, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Mahinder Singh has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.42 dated 30.01.2018 registered under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code, 1860 (Section 419 IPC added later on) at Police Station Ladwa, District Kurukshetra. The petitioner is in custody since his arrest on 21.06.2019.

Learned counsel for the petitioner contends that the agreement to sell dated 19.01.2018 was executed between Joginder Singh and M/s Risansi Industries Ltd through Director-Lalit Mohan Aggarwal and a sum of Rs.1.90 crore was given through cheque bearing No.064056 dated 19.01.2018. He submits that the cheque was found to be forged and in the said transaction, petitioner was not the beneficiary as he was associated with property dealer, namely, Gianender Singh-co-accused, who received a sum of Rs.5 lacs from Joginder Singh. According to him, investigation of the

case is complete and charges have been framed on 29.11.2019.

While opposing the prayer, learned State counsel assisted by SI Vijay Kumar contends that the cheque in question was forged and the petitioner was involved in the said agreement with the other accused persons. She submits that though originally Joginder Singh was arrayed as an accused who later on after completion of investigation, was shown to be a prosecution witness. She submits that no amount was withdrawn from the Bank pursuant to the alleged attempt made by the accused, however, trial in respect of the crime has commenced.

Considering the above background and the fact that the offences are triable by Magistrate and trial of the case is likely to consume considerable time, this Court is of the opinion that further detention of the petitioner who is confined in judicial custody may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

06.02.2020

vanita

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No