

**227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-53265-2019
Date of decision-09.01.2020**

Vishal Soni

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Bhargava, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Vishal Soni has preferred this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.184 dated 11.11.2019 under Section 379 of Indian Penal Code, 1860 (Sections 411, 419, 420, 467, 468, 471 and 120-B IPC added later on) registered at Police Station Ranjit Avenue, District Amritsar. The petitioner is in custody since his arrest on 13.11.2019.

The FIR was registered on the statement of Hitesh Sodhi son of Dupinder Singh wherein it was alleged that on 11.11.2019, when complainant had gone for study in B-Block, District Shopping Complex, Ranjit Avenue, he parked his Activa (bearing No.PB-02-BW-6690 which belongs to his father) outside the complex and when he returned back, his activa was not found in the parking. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner was indicted on the statement of co-accused Lovepreet Singh who was arrested with the alleged vehicle alongwith the forged documents lying in

the compartment of the vehicle. He submits that the petitioner is running a computer shop despite possessing the B.Tech degree. He further submits that the vehicle in question belonging to the complainant's father was also recovered from the said accused, Lovepreet Singh. It is pointed out that the allegations against the petitioner pertain to the preparation of a forged Aadhar Card, wherein the petitioner is not involved as he simply printed the said Aadhar card at his shop which was brought to him in a pen drive. He submits that there is no other case against the petitioner, therefore, further custody of the petitioner may not be necessary.

On the other hand, learned State counsel who is assisted by ASI Manoj Kumar opposed the prayer. However, this fact is not disputed that the petitioner is not involved in any other case. She has apprised that the investigation of the case is complete and the petitioner is in judicial custody.

After hearing learned counsel for the parties, this Court is of the opinion that the offences are triable by Magistrate and trial of the case is likely to consume considerable time, therefore, further detention of the petitioner may not be justified, particularly when the investigation of the case is complete. 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.

(MANOJ BAJAJ)
JUDGE

09.01.2020

vanita

Whether speaking/reasoned :

Whether Reportable :

Yes

Yes

No

No