

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38610-2020 (O&M)
Date of decision: 26.02.2021

Pawan Kumar @ Matar @ Major

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Thakur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.156 dated 07.11.2019 under Sections 419, 420, 467, 468, 471, 120-B IPC and Section 465 IPC (added later on), registered at Police Station Navi Baradari, District Jalandhar Commissionerate; earlier one was dismissed as withdrawn on 29.07.2020.

Learned counsel for the petitioner submits that new ground for filing this second petition is that till date, charges have not been framed and since the offences are triable by the Court of Magistrate, it will take long time in conclusion of the trial. It is further submitted that the FIR was registered on the statement of Reader to the Court of Additional District & Sessions Judge,

Jalandhar, in which it is stated that a person namely Hardeep Singh came to the Court and informed that he never stood surety in FIR No.94 dated 07.09.2017 under Section 307 IPC, Police Station Nurmehal for accused Pawan Kumar and someone, by impersonating, has furnished the surety papers along with an affidavit. Later on, during the investigation, it was found that the petitioner has impersonated in place of said person. It is also submitted that the petitioner is in custody for the last 01 year and 02 months and challan stands presented on 09.03.2020, however, till date, the charges are not framed.

Learned State counsel has filed the custody certificate dated 25.02.2021 in the Court today and has opposed the prayer on the ground that the petitioner is involved in number of other cases, however, he is on bail in those cases.

After hearing learned counsel for the parties, without commenting anything on merits of the case, considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition stands disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

26.02.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No