

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

226

CRM-M-28361-2022

Date of Decision : July 12, 2022

MOHIT ARORA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Digvijay Nagpal, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.12 dated 25.1.2022 under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Sadar, Sri Muktsar Sahib, District Sri Muktsar Sahib.

It has been stated by the learned counsel for the petitioner that the petitioner is in custody from 25.1.2022 and the investigation of the case has been completed and report under Section 173 Cr.P.C., has been presented before the competent Court and no recovery is to be effected from the petitioner. He further submitted that as per the allegations on the basis of information the police had recovered some fabricated cheques from the petitioner and the other co-accused. The learned counsel submitted that in the present case, the petitioner has been falsely implicated especially in view of the fact that there had been no

money transfer in the account of the petitioner nor in any way the petitioner has been the beneficiary of any amount and, therefore, it was a concocted story made by the police. He further submitted that be that as it may, the investigation of the case has already been completed and the petitioner has clean antecedents and is not involved in any other case and, therefore, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel on instructions from ASI Swarn Singh has stated that it is correct that the investigation of the case has been completed and the petitioner is not involved in any other case. He has, however, opposed the grant of regular bail to the petitioner on the ground that the petitioner alongwith his co-accused had stolen cheques from the bank and fabricated the same.

I have heard the learned counsels for the parties.

The petitioner is in custody from 25.1.2022 and the investigation of the case has been completed and challan has been presented before the competent Court and as per the learned counsels for the parties, the petitioner is not involved in any other case. As per the learned counsels for the parties, there was no transfer of any amount in the account of the petitioner. The allegation with regard to possession of fabricated cheques is a subject matter of trial and can be seen at the time of trial only. The trial of the case may take long time. Apart from the same, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the aforesaid facts and circumstances

of the case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

July 12, 2022
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No