

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34783-2022

Date of Decision: 28.9.2022

Pankaj

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ajay Kirpal, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.134 dated 6.4.2022 registered for the offences punishable under Sections 406, 409, 420, 467, 468, 471, 120-B IPC at Police Station City Kaithal, District Kaithal.

Counsel for the petitioner submits that the petitioner was not named in the FIR and was later on, implicated as accused on the basis of the disclosure made by co-accused and was arrested on 21.5.2022. He further contends that after completion of investigation, challan has been presented and it will take considerable time for trial to conclude. He further contends that as such there is no necessity to keep the petitioner in custody for any longer period.

Present petition is resisted by the State counsel who submits that the present petitioner connived with Tej Singh Manager of the Bank,

one Resham Singh to defraud large number of persons. However, State counsel has not refuted the fact that after completion of investigation, challan has been presented and that during the investigation, the petitioner was arrested on 21.5.2022.

I have considered the submissions made by the counsel for the parties.

All the offences are triable by the Court of Judicial Magistrate, 1st Class and after completion of investigation, the police has presented the challan but it will take time for trial to terminate even after its commencement. The petitioner is in custody since 21.5.2022. No fruitful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

September 28, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No