

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

CRM-M-35216-2022 (O&M)

Date of decision : 28.10.2022

Nijamuddin A Shaikh @ Nijamudin

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Harlove Singh Rajput, Advocate
for the petitioner.

Mr. Madhur Sharma, AAG, Punjab
for the respondent/State.

PANKAJ JAIN, J. (ORAL)

CRM-28580-2022

Application is allowed as prayed for.

CRM-M-35216-2022

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.12 dated 25.01.2022 registered for the offences punishable under Sections 420, 467, 468, 471, 120-B of IPC, at Police Station Division No.2, District Pathankot.

2. Ld. Counsel for the petitioner submits that even though the money transactions have been traced to the account of the petitioner yet the main allegations were levelled against Jaswant Singh, who portrayed himself to be a retired officer from Indian Army. However, after investigation the aforesaid Jaswant Singh has been declared innocent.

Petitioner is behind bars since 26th of April, 2022. Investigation is complete and challan stands presented. Thus, there can't be any apprehension that the petitioner would tamper with the evidence.

3. Ld. State Counsel does not dispute the aforesaid factual assertions made by counsel for the petitioner on the basis of the record.

4. Having heard counsel for the parties and after going through records of the case with their able assistance, I find that the present petition deserves to be allowed.

5. Keeping in view the long incarceration suffered by the petitioner, without commenting on the merits of the case and in view of the fact that the challan already stands presented, the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

October 28, 2022

Dpr

(PANKAJ JAIN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No