

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

Sr. No.204

CRM-M-42070-2021

Date of decision :18.2.2022

VARINDER KUMAR

.....Petitioner

VERSUS

UNION TERRITORY , CHANDIGARH

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vivek Kathuria, Advocate for the petitioner

Mr.Amit Goyal, APP for UT, Chandigarh

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C.
for the grant of regular bail in FIR No.93 dated 25.6.2021, registered under
Sections 419, 420, 120-B of IPC (Sections 467, 468, 471, 473, 201 IPC
added later on) at Police Station Sector-17, Chandigarh.

Briefly stated, the case of the prosecution is that the petitioner
by impersonating himself to be the Reader to the Deputy Commissioner,
Chandigarh, lured the complainant to part with money on the pretext of
getting allotment of a commercial booth for his son.

Learned counsel for the petitioner contends that the petitioner
has been falsely implicated in this case; he has no other criminal case
pending against him; he is in custody for the last nearly eight months;
investigation in this case is complete and therefore, the petitioner is not in a
position to influence the same; he is a 73 year old person and therefore, the
case set up by the complainant is improbable that at that age, the petitioner

himself would pose as a serving government employee and that the petitioner's trial, which is yet to begin, will take a long time to conclude.

Learned counsel for UT, Chandigarh opposes the grant of bail to the petitioner on the ground that if released on bail, he may indulge in similar offences.

The petitioner is a 73 year old man; he has already been in custody for the last nearly eight months; he has no other criminal case pending against him; investigation in this case is complete and therefore, the petitioner is not in a position to influence the same and that the petitioner's trial, which is yet to begin, is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Chandigarh the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

18.2.2022
gsv

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No