

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

Sr. No.216

CRM-M-42924-2021

Date of decision: 27.01.2022

Jagphool

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sushil Sheoran Advocate
for the petitioner.

Mr. Manish Dadwal, Asstt. A.G., Haryana.

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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.56 dated 01.03.2020, registered under Sections 420, 406, 467, 468, 471 IPC at Police Station Rohtak Civil Lines, District Rohtak.

The petitioner is being prosecuted for having obtained loan from the complainant – Bank on the basis of manipulated documents/ fraudulent information.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; the petitioner has no other criminal case pending against him; investigation in the case is complete; the petitioner is in custody since 26.07.2021; the complainant has already been examined before the Trial Court; since 12 prosecution witnesses still remain to be examined in the petitioner's trial, the same is likely to take a long time to conclude and that in a magisterial trial further incarceration of the petitioner is not required.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he is an accused of fraud and if he is released on bail he may indulge in similar offences.

In a magisterial trial, the petitioner is in custody since 26.07.2021; he does not face any other criminal case; investigation in the case is complete; the complainant stands examined before the Trial Court and since 12 prosecution witnesses still remain to be examined in the petitioner's trial the same is likely to take a long time to conclude.

After considering the above rival submissions, 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, Rohtak, 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.

January 27, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No