

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-42871-2021
Decided on : 11.03.2022

Malkeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Manpreet Singh, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 89 dated 18.06.2021 under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860 registered at Police Station City Moga, District Moga (Annexure P-1).

Learned counsel for the petitioner has submitted that in the present case, as per the FIR, the petitioner is alleged to have forged a police clearance certificate and had given it to one Gaganpreet Singh Gill for taking Rs.10,000/- in return. It is further submitted that the petitioner is a typist and he had only typed the said document but he had not forged the signatures of Senior Superintendent of Police, Ludhiana (Rural) or affixed any stamp on the same. It is contended that there is no recovery of any computer and printer or any other thing so as to show

that the petitioner had committed forgery. It is further contended that the petitioner is in custody since 20.06.2021 and he is not involved in any other case and challan in the present case has already been filed and there are as many as 12 witnesses out of whom, 10 witnesses are yet to be examined and thus, the trial is likely to take time, moreso, in view of the present COVID-19 pandemic situation.

Learned State counsel, on the other hand, has opposed the present application for regular bail and has submitted that as per the allegations in the FIR, it is the petitioner who had prepared the forged certificate.

This Court has heard learned counsel for the parties and has perused the paperbook.

The question as to whether the signatures of the Senior Superintendent of Police, Ludhiana (Rural), which are stated to be forged and the seals of the Police Department, which are also stated to be fake, were affixed by the petitioner or not is a matter of trial. The present case is triable by the Magistrate. The petitioner is stated to be in custody since 20.06.2021 and he is not involved in any other case and the challan in the present case has already been presented and there are as many as 12 witnesses, out of whom 10 witnesses are yet to be examined and thus, the trial is likely to take time, moreso, in view of the present COVID-19 pandemic situation.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and the petitioner is ordered to be released on

bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate and subject to his not being required in any other case.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

March 11th, 2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No