

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-49744-2022

Date of Decision: 9.11.2022

Tej Singh Chauhan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Aman Pal, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

KARAMJIT SINGH, J.

Petitioner-Tej Singh Chauhan has filed the present petition seeking concession of regular bail in criminal case having 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, nominated as accused on the basis of the disclosure made by co-accused Subhash and was arrested in this case on 21.5.2022. He further submits that no incriminating article was recovered from the petitioner who is presently lodged in judicial custody and the police has presented the challan and it will take considerable time for the trial to conclude and all the offences are triable by the Court of Judicial Magistrate, 1st Class. He further contends that as such, there is no necessity to keep the petitioner in custody for any longer period.

Present petition has been contested by the State counsel who submits that the petitioner being manager of the bank connived with Pankaj and Resham Singh to defraud a large number of persons. However, State counsel on instructions from SI Shamsheer Singh has not refuted the fact that after completion of investigation, the police has presented the challan and that the petitioner is in custody since 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 the petitioner is behind the bars since 21.5.2022 and on completion of investigation, the police has presented the challan but it will take time for trial to conclude even after its commencement. Co-accused Pankaj has already been granted regular bail by this Court vide order dated 28.9.2022 passed in CRM-M-34783-2022 (Annexure P-9). In the given circumstances, 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

November 9, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No