

CRM-M-14961-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision: 24.04.2023

MOHINDER PAL

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Sartej Singh Narula, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG Punjab.

Mr. Ashok Kumar Khanna, Advocate
for the complainant.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.01 dated 20.01.2023 under Sections 406, 420, 465, 467, 468 and 471 of IPC, registered at Police Station NRI, Jalandhar, Punjab

It is *inter alia* contended by learned counsel for the petitioner that the complainants have falsely implicated the petitioner in the present case claiming that GPA dated 09.06.2004 had been forged and fabricated by the petitioner and has been fraudulently used for execution of sale deed. He is in custody since 23.01.2023. He submits that the conclusion of trial will take sufficient time as challan has been presented and charges are yet to be framed, therefore, the petitioner be enlarged on bail. He further submits that the petitioner is not involved in any other case.

On the other hand, learned State counsel assisted by

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Investigating Officer SI Raj Kumar has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature. However, he has not disputed the fact that challan stands presented but charges are yet to be framed and there are total 17 prosecution witnesses, but none have been examined till date. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 23.01.2023.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

April 24, 2023

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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No