

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

CRM-M No.22928 of 2023 (O&M)
Date of decision: 21st August, 2023

Nirbhai Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Manpreet Ghuman, Advocate for the petitioner.
Mr. I.P.S. Sabharwal, Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.9 dated 21.01.2020 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Barnala, District Barnala.

2. Learned counsel for the petitioner inter alia submits that it is a case resting on documentary evidence. She further submits that after the petitioner was apprehended on 03.04.2023, challan was presented on 15.06.2023 and charges have also since been framed. Learned counsel submits that totally false allegations have been levelled against the petitioner of having impersonated one Arjun Singh on the basis of some forged documents and as a result of which he obtained loan from the Bank in the sum of ₹ 12.00 lacs. Learned counsel submits that it was admitted case of the prosecution that the loan had been obtained by co-accused Arjun Singh and the petitioner

allegedly had only fabricated one of the forged documents. In the circumstances, a prayer has been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has submitted that the petitioner had not availed of any loan from the Bank, however, one of the documents on the basis of which the petitioner had impersonated and managed to avail loan from the Bank, had been fabricated by none other than the petitioner.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has been charged for offences triable by Magistrate. Trial is unlikely to conclude in the near future as prosecution evidence is yet to commence and as many as 18 prosecution witnesses have been cited. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 21, 2023
rps

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