

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

218

CRM-M-23702-2023

Date of decision: 17.05.2023

Bhushan Parshad

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.27 dated 17.02.2023 under Sections 420, 406, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 registered at Police Station City Khanna, District Ludhiana.

2. Learned counsel for the petitioner *inter alia* contends that totally false and fabricated allegations have been levelled against the petitioner of having lured the complainant and his brother into parting with an amount of ₹3,50,000/- for getting them a job with the Indian Railways. Learned counsel submits that it is highly improbable that the petitioner would have opened a bank account in the name of the complainant without any requisite documents and thereafter used it for the purpose of his business. Learned counsel submits that all the offences are triable by Magistrate and there is no likelihood of the trial concluding in the near future as challan has also not yet been filed. It

has been further submitted that similarly situated co-accused Vicky Parshad has since been extended the concession of interim bail by this Court vide order dated 11.05.2023.

3. Per contra, learned State counsel while opposing the prayer made by the counsel opposite, on instructions, submits that the investigation is still underway and the challan would take some time to be presented.

4. On a pointed query put to the learned State counsel qua the criminal antecedents of the petitioner, he, on instructions, has apprised the Court that the petitioner does not have any criminal antecedents.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 10.03.2023 in a magisterial trial and it would take considerable time for the trial to conclude. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

17.05.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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