

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

**CRM-M-29451-2023
RESERVED ON:20.06.2023
PRONOUNCED ON: 27.06.2023**

MANISH JAIN

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. R.S. Athwal, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G. Punjab.

VIKRAM AGGARWAL, J (ORAL)

The present petition has been preferred under Section 439 of the Code of Criminal Procedure (for short “Cr.P.C.”) for the grant of regular bail in case FIR No.116 dated 11.06.2021 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Division No.6, District Jalandhar.

The FIR in question was registered on a complaint submitted by the Zonal Manager of the Punjab and Sindh Bank Zonal Office Model Town Jalandhar. It was alleged that certain persons named in the complaint had prepared forged and fabricated documents viz FDRs, account statements etc. and had got those forged and fabricated documents verified by creating false email accounts of the bank and giving false certificates regarding genuineness of those documents by affixing forged and fabricated signatures of bank officials. An inquiry was conducted by the Assistant Commissioner(B) Jalandhar, during which it was found that it was the

present petitioner who had prepared all the forged and fabricated documents for the persons named in the FIR for the purpose of showing funds in their accounts for going abroad or for sending some relatives to a foreign country. Under the circumstances, only the present petitioner was arrayed as an accused in the FIR and was arrested on 25.03.2023.

Learned counsel for the petitioner strenuously urged that the petitioner has been falsely implicated. It was submitted that the case is based totally on documentary evidence and that if any forgery was committed by the petitioner, he will be punished for the same as he will face trial. Learned counsel submitted that the beneficiaries have not been arrayed as accused and only the petitioner has been arrayed as an accused which is unfair. Learned counsel submitted that the petitioner is in custody since 25.03.2023; trial will still take a sufficiently long time; the petitioner is not known to be a previous offender and, therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

On the other hand, learned counsel representing the State of Punjab opposed the bail application stating that if the petitioner is released on bail, he may try to influence the witnesses and may also abscond.

I have considered the submissions made by learned counsel for the parties. The petitioner was arrested on 25.03.2023 and is in custody since then. More than three months have elapsed. The case is based on documentary evidence. If the petitioner is found to have forged the documents, he shall face the consequences. Nothing has been brought on record to show that the petitioner is a previous offender. In the considered opinion of this Court, no useful purpose would be served by keeping the petitioner in custody any longer.

In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed.

The petitioner is ordered to be released on regular bail on his furnishing bail/surety

bonds to the satisfaction of the concerned trial Court/Judicial Magistrate/Duty Magistrate, Jalandhar.

27.06.2023
Prince Chawla/mamta

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No