

2023:PHHC:087602

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM M-32290 of 2023

Date of Decision: July 13, 2023

Sunny Mahajan

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. J.S. Mahal, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has moved the present petition under Section 439 Cr.P.C. with a prayer to grant the concession of regular bail to him in case FIR No. 10354 dated 24.12.2022 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Civil Lines Amritsar, District Amritsar (Annexure P-1)

2. Learned counsel for the petitioner contends that the petitioner he was arrested in the present case on 22.03.2023 and after completion of the investigation, the challan has been presented against him. He further contends that the next date of hearing is fixed on 21.07.2023 for framing of charge and trial is yet to commence against the accused formally. Still further, with regard to the subject matter of the dispute one civil dispute filed by Shashpal Singh @ Shahpal Singh is already pending before the learned Civil Court. He has also relied upon the order dated 15.03.2023 passed by a Co-

ordinate Bench in CRM M 8334 of 2023 titled as titled as Shashpal Singh @ Shahpal Singh to contend that the co-accused has been granted the concession of bail by this Court.

3. The submissions made by the learned counsel for the petitioner has been opposed by the learned State counsel by contending that the petitioner has been declared as proclaimed offender in a case under Section 138 of the NI Act and there are serious allegations against him. However, it is not in dispute that the petitioner had surrendered in the said case under Section 138 of the NI Act and was admitted to bail on 1st June 2023 by the Court of learned Judicial Magistrate 1st Class, Amritsar.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

July 13, 2023

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No