

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

229-A

CRM-M-34804-2022

Date of Decision: 09.01.2023

Aman Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. K.D. Mann, Advocate for the petitioner.

Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 67 dated 09.04.2022 registered under Sections 420, 406, 465, 467, 468, 471 and 120-B IPC at Police Station City-II Mansa, District Mansa.

As per prosecution story, the petitioner in connivance with his co-accused, namely, Vikas Kumar and Baljinder Singh @ Kala, had cheated and duped complainant-Kirandeep Kaur, for a sum of ₹3,00,000/- on the pretext of getting a government job for her sister Virpal Kaur, who is working as a staff nurse in Pregma Hospital, Bhatti Road, Bathinda. The accused have also issued an appointment letter in the name of Virpal Kaur, which was found to be forged and fabricated as the authorities had never issued any such letter. When they asked for return of money,

co-accused Vikas Sharma, had issued a cheque of ₹3,20,000/- which was got dishonoured.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner has falsely been implicated in the present case. The offence committed by the petitioner is triable by a Magistrate. After completion of investigation, challan has already been presented before the trial Court and charges have also been framed. Out of total 22 prosecution witnesses, no witnesses has been examined by the trial Court so far. The main accused Vikas Sharma, who had issued the cheque of ₹3,20,000/- which was dishonoured had already been released on bail by the trial Court. The petitioner is in custody since 30.04.2022. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that the petitioner may be ordered to be released released on regular bail.

On the other hand, learned State counsel has opposed the present petition in terms of averments made in status report dated 30.08.2022, filed by way of affidavit of Ms. Navneet Kaur, Deputy Superintendent of Police, Sub Division Mansa, District Mansa.

Keeping in view the facts and circumstances of the case, the custody period of the petitioner, the fact that the main accused-Vikas Kumar, has already been released regular bail by the trial Court and also the fact that conclusion of trial may take a long time, but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and petitioner-Aman Kumar, is ordered to be released on regular bail on furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

January 09, 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No