

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

CRM-M No.45536 of 2021
Date of decision: 8th May, 2023

Rahul Pandey

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nitin Sachdeva, Advocate for the petitioner.
Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.264 dated 18.06.2021 under Sections 419, 420, 465, 466, 467, 468, 471, 474, 120-B IPC registered at Police Station Division No.5, District Ludhana (Punjab).

Learned counsel for the petitioner inter alia contends that in a Magisterial trial, the petitioner has now been in custody for close to two years, having been arrested on 18.06.2021. He further submits that the trial is unlikely to conclude in the near future as only 3 prosecution witnesses out of the 10 cited, have been examined till date. Learned counsel has also contended that all the three material witnesses stand examined. He submits that in the circumstances, further incarceration of the petitioner would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions has submitted that the petitioner, while submitting the surety bonds before the Court below for the release of a vehicle on *sapurdari*, had impersonated Vikas Jain and the Aadhar Card, which had been furnished by him, was in fact a forged one. Learned State counsel further submits that the next date of hearing fixed before the trial Court is 11.05.2023 when some more witnesses are likely to be examined.

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

All the three material witnesses cited by the prosecution stand examined and the trial shall take considerable time to conclude. The petitioner has been in custody since 18.06.2021 in a Magisterial trial. 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 contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 8, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No