

CRM-M-43544-2023

211

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43544-2023
Date of Decision: 15.09.2023

Vinod Kumar Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kewal Singh, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.13 dated 12.03.2021, under Sections 419, 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station NRI, District Ludhiana.

2. Learned counsel for the petitioner submitted that the petitioner is in custody since 31.05.2023 and the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court. He further submitted that the allegations in the present case pertained to the year 2006 with regard to fabrication of Power of Attorney and the present is a case which is triable by the Magistrate and the trial of the case may take long time. He also submitted that the petitioner has clean antecedents and is not involved in any other case. He submitted that in view of the aforesaid facts and circumstances of the case, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Sarabjit Singh Cheema, learned DAG,

Punjab has stated that it is correct that the petitioner is in custody since 31.05.2023 and the investigation of the case has been completed and now challan has also been presented. He further submitted on instructions that the petitioner is not involved in any other case and has clean antecedents.

4. I have heard the learned counsels for the parties.
5. It is a case where the petitioner is in custody since 31.05.2023 and after the completion of investigation, challan has been presented before the competent Court. The present is a case which is triable by the Magistrate and the trial of the case may take long time. The petitioner is stated to be not involved in any other case and has clean antecedents. Furthermore, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence. Therefore, considering the aforesaid facts and circumstances of the case, this Court deems it fit and proper to grant regular bail to the petitioner.
6. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.
7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

15.09.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

- | | |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |