

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

CRM-M-46137-2022 (O&M)

Date of Decision:-17.02.2023

PUSHKAR GOYAL

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate with
Mr. Rishabh Singla, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.134 dated 12.07.2022 registered under Sections 420, 465, 467, 468, 471, 120-B IPC at Police Station Division No.7, District Jalandhar.

The allegations in brief are that the police received secret information against the petitioner and then the police officials raided the premises/office of the petitioner and on search of the said premises situated in H. No. 450 Golden Avenue, Phase-II, Jalandhar, the police recovered large

number of forged certificates/degrees along with other material and the petitioner and his wife Rajni Goyal were arrested on 13.7.2022.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is in custody since 13.7.2022 and after completion of investigation, the police has presented the challan and now trial has commenced after framing of charges. The counsel for the petitioner further submits that the petitioner is having no criminal history and it will take considerable time for the trial to conclude and that wife of the petitioner is enlarged on bail vide order dated 3.9.2022 (Annexure P-6). So prayer is made that the petitioner be released on regular bail.

The instant petition is opposed by the State counsel, who on instructions from SI Nirmal Singh submits that large number of fake degrees/certificates were recovered from the premises of the petitioner, who at that time was running Guru Nanak Academy. However, the State counsel has not disputed the fact that now the trial has commenced after the charges are framed by the learned trial Court. The State counsel also apprised the Court that till date, no prosecution witness has been examined and that co-accused Rajni Goyal wife of the petitioner is already granted concession of regular bail.

I have considered the submissions made by counsel for the parties.

All the offences are triable by the Court of Judicial Magistrate Ist Class and the petitioner is in custody since 13.7.2022 and on completion of investigation, the police presented the challan and charges have been framed but it will take considerable time for the trial to conclude as the same

is at its initial stage. In this case, the recoveries are already effected, so no purpose is going to be served by prolonging any further the incarceration of the petitioner, who is having no criminal antecedents.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

17.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No