

228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54795-2023

Date of Decision : 19.12.2023

Chaman Lal

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rahul Rampal, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.134 dated 13.09.2023 under Section 420, 465, 467, 468, 471 IPC, 1860 registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel submits that the petitioner has been in custody since 13.09.2023 for allegedly furnishing fake surety qua one person who was involved in a case under the NDPS Act. Learned counsel submits that the investigation in the case in hand is complete and the charges have not yet been framed, hence, trial, would take considerable time to conclude, a prayer has therefore, been made to extend the concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed that the investigation in the case in hand is complete however, charges have yet not been framed. He, on further instructions, informed the Court that the next date

fixed before the trial Court is 21.12.2023, when the charges are likely to be framed.

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

The petitioner has been in custody since 13.09.2023. As not disputed by the learned State counsel, charges have not yet been framed and hence, the trial will take considerable time to conclude.

In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

December 19, 2023

Ps

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*