

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5104 of 2024
Date of decision: 5th March, 2024

Krishan Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.134 dated 13.09.2023 under Sections 420, 465, 467, 468, 471 of the IPC registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner inter alia contends that the petitioner has been in custody since 13.09.2023 for allegedly furnishing fake surety bonds qua an accused involved in a case under the Narcotic Drugs and Psychotropic Substances Act, 1985. He submits that not only challan stands presented but even charges have been framed and now the case is fixed for prosecution evidence. A prayer has, therefore, been made for extending the concession of bail to the petitioner, as his further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI

Hardev Singh, has not been able to dispute that investigation in the case in hand is complete. It has also not been disputed by the learned State counsel, on instructions, that the petitioner has no criminal antecedents.

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

5. The petitioner has now been in custody since 13.09.2023 in a case of Magisterial trial and there is no likelihood of the trial concluding in the near future as charges have not yet been framed and are likely to be framed on the next date fixed before the trial Court. In the facts and circumstances, as enumerated hereinabove, 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 observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

March 5, 2024

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No