

215-2

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

CRM-M-14504-2023 (O&M)

Date of decision : 26.02.2024

Sunil Kumar @ Sunil

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikas Bali, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.166 dated 13.10.2022, under Sections 419, 420, 467, 468, 471, 171 & 120-B of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station, Machhiwara, District Khanna.

2. Allegations are that petitioner provided printouts of alleged forged letters prepared by co-accused Deeppreet Singh @ Cheenu, who while posing himself as Deputy Superintendent of Police, Punjab, duped the complainant and other victims on the pretext of getting them employed as Constables in the Punjab Police.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 18.07.2023 and he is regularly appearing before learned trial Court. There is no apprehension

that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner. Also contends that charges were framed way back on 02.06.2023, but out of total 18 prosecution witnesses, only 05 have been examined till date.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 18.07.2023 and the order reads as under:-

“Contends that petitioner is in custody since 18.10.2022 and after investigation, report under Section 173 Cr.P.C. has already been submitted on 11.01.2023; but, charges are yet to be framed. Also contended there is no other criminal case pending against the petitioner.

Learned State counsel seeks time to verify the above factual position.

Posted on 31.08.2023.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. It is acknowledged by learned State counsel that in terms of the aforesaid order, petitioner was released on interim bail and he is regularly appearing before learned trial Court. There is no allegation that in case interim bail is made absolute, petitioner is likely to misuse the concession of bail or hamper the proceedings. Moreover, out of total 18 prosecution witnesses, only 05 have been examined till date

and as such, the trial is likely to take sufficient long time; hence sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 18.07.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

12. Pending application(s), if any, shall also stand disposed off.

26.02.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No