



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39173-2024
Date of Decision:05.09.2024

Suresh Kumar ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr.G.P.S Ghuman, Advocate with
Mr. Atul Kumar, Advocate and
Mr. P.S Mann, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 95 dated 16.09.2023, registered under Sections 409,465,467,468,471 of IPC, Police Station Sadar Moga, District Moga (Annexure P-1).
2. A short reply by way of an affidavit of Deputy Superintendent of Police (City), Moga, District Moga has been filed on behalf of respondent-State and the same is taken on record.
3. Learned counsel for the petitioner contends that the petitioner has been made a scapegoat in the present case by the senior bank officials and was not involved in the crime. He further contends that in the present case, apparently the transactions were made in the bank by using two IDs of the bank officials out of those, only one ID of the petitioner was used and other ID belonged to some other bank official. However, under the pressure of the senior

officials, the entire burden has been shifted on the present petitioner. Learned counsel further contends that after the registration of the FIR, the petitioner has been suspended from the bank. Learned counsel for the petitioner further contends that after completion of the investigation, the final report under Section 173 Cr.P.C has already been presented in the present case. The petitioner was arrested on 30.04.2024 and is in custody for the last more than 04 months. He further contends that no other case was ever registered against the petitioner and the petitioner is a first offender.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and the present petition deserves to be dismissed by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, all the offences are triable by the Court of Magistrate and the petitioner is in custody for the last more than 04 months. After completion of the investigation, the challan has already been presented against the petitioner and his further detention will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

05.09.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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