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

CRM-M-41155-2023 (O&M)

Date of decision : 06.03.2024

Chander Shekhar @ Shekhar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jaswinder Singh Rana, Advocate,
for Mr. Sandeep Arora, Advocate,
for the petitioner.

Ms. Avneet, AAG, 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.90 dated 24.05.2020, under Sections 193, 419, 420, 465, 467, 468, 471 & 120-B of the Indian Penal Code, 1860, registered at Police Station Navi Baradari, District Jalandhar.

2. Allegations are that petitioner obtained bail in FIR No.8 dated 19.01.2016, under Sections 379-B, 201, 323 read with Section 34 of the IPC, registered at Police Station Navi Baradari, Jalandhar, by furnishing fake surety bonds as well as affidavit of one Satwinder Singh, working as Head Constable in the Punjab Police.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 29.01.2024 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.

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 29.01.2024 and the order reads as under:-

“Short reply by way of affidavit dated 18.09.2023 of Nirmal Singh, PPS, Assistant Commissioner of Police, Sub-Division Central, Jalandhar on behalf of respondent-State has been filed, which is taken on record. Registry to tag the same at appropriate place. Copy supplied to the other side.

Contentends that petitioner is in custody since 27.06.2023; challan has already been presented; but, charges are yet to be considered.

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

Posted for 06.03.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on 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 he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 29.01.2024, is made absolute. Petitioner 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.

06.03.2024
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(MAHABIR SINGH SINDHU)
JUDGE

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