

2042024:PHHC:000474

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-48196-2023 (O&M)

Date of Decision: January 05, 2024

TINKU @ JATIN.....Petitioner

Versus

STATE OF HARYANA.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ajay Kumar Rana, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 of CrPC, prayer has been made for grant of regular bail in case FIR No. 170 dated 23.03.2022 registered under Sections 420, 467, 468, 471, 201 and 120-B IPC at P.S. Baldev Nagar, District Ambala wherein, the petitioner has been implicated for having prepared the forged documents enabling the co-accused to obtain loan facility from the complainant-Bank.
2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that without the help of the petitioner, the offence could not have been committed by the co-accused who obtained loan from the complainant-Bank against the forged documents prepared by the petitioner. Learned State counsel on instructions from ASI Lovely further submits that the petitioner is also involved in one other case of similar nature.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, the investigation already stands concluded with the filing of challan followed by framing of charges on 29.09.2023 and the petitioner is already behind the bars for a period of almost 8 months by now. Further, none of the prosecution witness has been examined so far. Besides it, the fact that the entire evidence is documentary in nature and the entire loan stands discharged by the other co-accused towards the complainant-Bank, this Court does not find justification to extend his incarceration any further.
5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.
6. Pending application(s), if any, shall also stand disposed of.

05.01.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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