IN THE HIGH COURT OF JUDI CATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR.

S. B. Crim. Misc. Bail Application No. 1032/2015. Lokesh Meena Vs. State of Raj.

Date of Order: 05.02.2015.

HON' BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Mr. Vinay Pal Yadav, counsel for the petitioner. Mr. Aladeen Khan, PP for the State.

Present bail application has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in a case arising out of FIR No. 139/2014 registered at Police Station, Civil Line, Ajmer for the offences under sections 420, 467, 468, 471 and 120-B IPC.

Counsel for the peti ti oner submitted that it is alleged that petitioner had attested a forged Power of Attorney before a Notary Public. Counsel for the petitioner has submitted that at the most, petitioner had identified an impostor. Shri Vinay Pal Yadav, counsel for the peti ti oner has further submitted that petitioner is in custody since 06th December, 2014. Period of police remand is already over and petitioner is in judicial custody. Furthermore, investigation stand concluded and charge-sheet has already been filed.

Counsel for the petitioner has relied upon Sanjay Chandra Vs. Central Bureau of Investigation (2012) 1 Suprme Court Cases 40

Counsel for the petitioner has submitted that it is alleged by the complainant that petitioner having received 300 grams of gold for making the jewellery have neither returned the jewellery, nor the gold. The petitioner was sought to be prosecuted for offences under Sections 420 and 406 IPC.

Without commenting upon the contention raised by the counsel for the petitioner that dispute if any, is civil in nature, this Court is of the view that continuous detention of the petitioner as an under trial is not warranted.

Consequently, the present petition is accepted and the petitioner is ordered to be released on bail during the pendency of the trial to the satisfaction of the trial court.

(Kanwaljit Singh Ahluwalia), J.

N. Gandhi 95

Certificate- All corrections have been incorporated in the judgment/order being emailed.

Naval Kishore Gandhi P.A.cum judgment writer