

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-21714 of 2015
Date of Decision : 17.7.2015

Rajbir Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. Ashit Malik, Advocate for the petitioner.
Mr. Ashish Yadav, Addl. A.G., Haryana.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks bail pending trial in FIR No.4 dated 2.1.2015 under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station Sadar, Sonapat.

Learned counsel for the petitioner submits that this court granted the concession of bail to Ravinder, co-accused of the petitioner vide order dated 16.6.2015 (Annexure P-3) passed in CRM No.M-19541 of 2015. He also refers to an order dated 20.5.2015, whereby another co-accused of the petitioner has been granted the concession of interim anticipatory bail by this court in CRM No.M-16610 of 2015 (Raneshar Singh @ Monu Chaudhary Vs. State of Haryana). He also submits that except the petitioner, all other co-accused of the petitioner are on bail. He prays for allowing the present

petition.

On the other hand, learned counsel for the State, on instructions from ASI Surender Singh, Police Station Sadar, Sonapat, submits that the petitioner is the main accused, as he used to supply the forged certificate to his co-accused. He further submits that after presentation of police report under Section 173 Cr.P.C., charge has been framed against the accused and the next date of hearing before the learned trial court is 24.7.2015 for recording the prosecution evidence. He submits that under these circumstances, petitioner is not entitled for bail pending trial. He prays for dismissal of the present petition.

Having heard learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this court is of the considered opinion that in the peculiar fact situation of the present case, noticed herein above, petitioner has been found entitled for bail pending trial. It is so said, because all of his co-accused are already either on regular bail or on interim anticipatory bail, as referred to herein above. Further, since the prosecution evidence is yet to start, trial will take some time. Offences are triable by the Magistrate.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial court.

Disposed of, accordingly.

17.7.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE