

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

CRM-M-28100-2015

Date of decision: 14.09.2015

Baljeet Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.K. Jindal, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.113 dated 23.02.2015 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines Karnal, District Karnal.

Affidavit dated 11.09.2015 of Deputy Commissioner, Karnal, in compliance of the order dated 28.08.2015 filed in the Court today, is taken on record and copy thereof has been supplied to learned counsel for the petitioner. Similar affidavit dated 10.09.2015 of Superintendent of Police, Karnal filed in the Court today, is taken on record and copy thereof has also been supplied to learned counsel for the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The inquiry, if any, was conducted without associating the petitioner therein. Petitioner was not the beneficiary and he had no role to play in the matter. Allegations levelled

against the petitioner were factually incorrect. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Sukhbir Singh, Police Station Civil Lines, Karnal, submits that petitioner was the main accused. He was the sanctioning authority. Towards fag end of his service, he misused his official authority for extraneous considerations. The allegations against the petitioner were direct and serious, because of which he is not entitled for bail. He prays for dismissal of the present petition.

After hearing learned counsel for the parties and careful perusal of the record of the case, this Court is of the considered opinion that in the peculiar facts and circumstances of the case, petitioner has not been found entitled for bail pending trial. It is so said because the allegations against the petitioner have been found direct and serious. The averments taken on behalf of the petitioner have been found factually incorrect and misleading. Inquiry, as a matter of fact, was conducted by the Additional Deputy Commissioner, Karnal, which was held much before registration of the FIR. Allegations against the petitioner were found substantiated.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

14.09.2015
vishnu