

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-37147-2014
Date of decision : 13.01.2015

Anil Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Rahul Vats, Advocate
for Mr. Gautam Kailey, Advocate
for the petitioner

Mr.Rajesh Gaur, Addl.A.G.Haryana

REKHA MITTAL, J.(ORAL)

The petitioner prays for regular bail in FIR No.322 dated 30.08.2014 registered in Police Station Model Town, District Rewari for offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code (in short 'IPC').

Counsel for the petitioner contends that the main role in the FIR has been attributed to Munish (non-applicant) who allegedly opened a bank account by impersonating as Chanderkant and approached the complainant for purchase of 28 laptops in the name of NSLD College Mahendergarh. The only allegation against the petitioner is that he had accompanied said Munish at the time of getting delivery of laptops. The petitioner has already been remanded to judicial custody and, therefore, no longer required for the purpose of investigation. The challan has been

presented in the Court and conclusion of trial is likely to take some time.

The petitioner is ready to face proceedings without any default.

Counsel for the State has opposed the prayer for bail with the submission that keeping in view gravity of offence, the petitioner does not deserve to be enlarged on bail.

The offences for which the case has been registered are triable by the Court of Judicial Magistrate. On completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. There is no other criminal case registered against the petitioner and there is no allegation that he is likely to flee from process of justice in case enlarged on bail.

Without meaning to express any opinion on the merits of the controversy, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of the trial Court, subject to the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

January 13, 2015.

Davinder Kumar