

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

**CRM-M-9523 of 2015
Date of decision : 26.05.2015**

Rishipal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Vikas Bharadwaj, Advocate
for the petitioner.

Mr.Anmol Malik, AAG, Haryana.

DARSHAN SINGH,J(Oral)

1. The present petition has been filed by petitioner Rishipal under Section 439 Cr.P.C for grant of regular bail in case FIR No. 1599 dated 14.12.2014, under Sections 420, 467, 468, 471, 120-B of Indian Penal Code, registered at Police Station City Panipat, District Panipat.

2. As per the prosecution allegations, Ram Mehar was married with complainant Seema. Their matrimonial dispute was pending in the Courts. Ram Mehar manage to

get the false death certificate. The present petitioner is stated to have been signed the application submitted for registration of the death of Ram Mehar as a witness. The petitioner was arrested on 19.02.2015. Since then he is in custody. His application for grant of bail has been dismissed by the Courts below. Hence this petition.

3. Learned counsel for the petitioner contended that even as per the prosecution allegations the petitioner was only a witness on the application submitted to the authorities for registration of the death of Ram Mehar. Petitioner has no relation with said Ram Mehar and was not in any way the beneficiary of the bogus death report of Ram Mehar, who was having the matrimonial dispute with his wife. He further contended that the petitioner is in custody for the last three months. The investigation is already complete and the challan has been submitted.

4. On the other hand, learned State counsel pleaded that the petitioner has actively participated in procuring the bogus death certificate of Ram Mehar, so he does not deserves the concession of bail.

5. The aforesaid contentions have been duly considered.

6. This, fact is not disputed that even as per the prosecution allegations the present petitioner was only a

witness to the application submitted by Harpal Singh, the brother of Ram Mehar for getting the death certificate of Ram Mehar registered in the record. He is in custody for the last three months. The investigation is already complete. The offences are triable by the Magistrate First Class. The detention of the present petitioner is not required in jail for any purpose. The conclusion of the trial will take time. The concession of bail should not be denied as a measure of punishment.

7. Thus, the present petition is hereby allowed and the petitioner Rishipal is ordered to be released on bail on furnishing the requisite bail bonds to the satisfaction of the learned trial Court/ Duty Magistrate.

26.05.2015

s.khan

**(DARSHAN SINGH)
JUDGE**