

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

**CRM-M No.12116 of 2016 (O&M)
Date of Decision: 21.04.2016**

Ashwani Tyagi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Amrainder Singh, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Harender Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Ashwani Tyagi in case FIR No.390 dated 23.12.2015, under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, registered with Police Station Ambala City, District Ambala. **(Annexure P-1).**

As per the allegations, the petitioner/accused while working as Statistical Assistant in the Office of Principal Medical Officer, Ambala was involved with other co-accused in issuance of fake birth certificates on receipt of payments of huge amounts.

In the detailed enquiry conducted by the Economic Wing, co-accused/non-applicant Lakhwinder Singh, the alleged *tout*, has specifically named the present petitioner as having received a sum of Rs.4,000/- as his share for grant of fake birth certificate of Desi Gulati.

Learned Counsel for the petitioner submits that the petitioner is in custody since 01.03.2016 and investigations qua him are over. He further submits that petitioner is not involved in any other criminal offence and the case is triable by a Magistrate.

Learned State Counsel, assisted by ASI Harender Singh, is unable to refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the custody period, investigations qua the petitioner are over, petitioner is not involved in any other case and the fact that case is triable by a Magistrate, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

April 21, 2016
Gagan

(JASWANT SINGH)
JUDGE