

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

CRM-M-32919-2016

Date of decision:07.10.2016

Ganga Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

Present: Mr. P.S. Mattewal, Advocate,
for the petitioner.

Mr. G.S. Salwara, DAG, Haryana.

Mr. D.D. Gupta, Advocate,
for the complainant.

M.M.S. BEDI, JUDGE (ORAL)

The petitioner, namely Ganga Ram, seeks the concession of regular bail in a case registered at the instance of his name sake Ganga Ram Mehto. The allegation against the petitioner is that he had impersonated the complainant by changing his name as Ganga Ram Mehto and obtaining a job in the office of Food Corporation of India. The actual name of the petitioner is Valmiki Mehto. The grievance of the petitioner is that he was an contractual employee of

the department and was ordered to be released by the department on the basis of the judgment of the High Court, but it was observed that the petitioner, by forging the documents had already got the job, showing him as Ganga Ram Mehto. As such, he cheated the department and the complainant.

Learned counsel for the complainant has intervened to oppose the application for regular bail contending that the valuable right of the complainant has been snatched by obtaining a job in place of the complainant.

I have heard learned counsel for the petitioner, learned counsel for the complainant and learned State counsel and I am of the opinion that on the face of it, the petitioner has committed a serious offence by causing prejudice to the complainant, but in view of the fact that the challan has already been presented and on the basis of the conduct of the petitioner, the complainant can always avail the relief at department level, which had earlier been snatched on account of the alleged fraudulent act of the petitioner. No useful purpose will be served by keeping the petitioner in custody during entire period of the trial. The petitioner can be granted the concession of bail in the said circumstances without prejudice to the rights of the parties, so far as their rival claims with the Food Corporation of India are concerned.

In view of the above, the petition is allowed. The

petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

October 07, 2016
apurva

(M.M.S. BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No