

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-37847 of 2016

Date of Decision: 10.11.2016

Rajesh Saini

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Jainainder Saini, Advocate
for the petitioner.

Mr. Vishal Garg, Addl.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.143 dated 22.2.2015 under Sections 419/420/467/468 IPC and Sections 471/120-B IPC (added later on) registered at Police Station Civil Lines, District Hisar.

Learned counsel for the petitioner contends that the allegation against the petitioner is that he has identified a wrong person to be real owner of the property in question and has put his signature on the sale deed, as a witness. He further submits that the petitioner is in custody since 16.6.2016 and charge in the case is yet to be framed.

Learned State counsel does not dispute the aforesaid custody period of the petitioner, however, he submits that the petitioner is in the habit of indulging in such cases of identifying wrong persons, for which, many FIRs are registered against him and he is facing trial in the same, though he is on bail in the said FIRs. It is for these reasons, he has been removed from the post of Numberdar also.

I have heard learned counsel for the parties.

Considering the fact that the offence committed by the petitioner is triable by a Magistrate and charge in the case is yet to be framed, coupled with the fact that the petitioner is in custody since 16.6.2016 and trial in the case will take sufficiently long time, I deem it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that observations made hereinabove shall not be construed as any expression on the merits of the case.

November 10, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No