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

CRM-M-37836 of 2017

Date of decision: October 13, 2017

Surender Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Dr. Deipa Singh, Advocate for the petitioner.

Mrs. Tanisha Peshawaria, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.248 dated 18.08.2015, under Sections 406, 409, 420, 467, 468, 471 of Indian Penal Code, 1860, registered at Police Station Bhutana, District Karnal.

Learned State counsel submits that there are multiple numbers of FIRs in the matter of forgery committed by the petitioner and his alleged gang members.

Mr. Kulwant Singh son of Sh. Jagir Singh is present in the Court and has submitted that, though, he is not concerned with the present FIR, there are other FIRs against the petitioner and other gang members. Therefore, the petitioner should not be released on regular bail.

Learned State counsel submits that the petition for quashing the FIR is pending in the Coordinate Bench.

In my opinion, this Court is not concerned with the other petitions, since this Court is required to deal with the present petition

only, i.e. with a prayer for regular bail in the aforesaid FIR. Looking at the facts of the present case, it is not in dispute that Ravinder Kaur who had purchased the plots for an amount of ₹15 lakhs (approx.) on the forged allotment letter by the petitioner, has been paid back the entire amount by the petitioner. I think that is the good solace with the purchaser. Considering the offences registered against the petitioner, what now remains is the offence of commission of forgery in respect of the allotment letter. The petitioner has undergone sufficient period as under trial. The case is triable by the Magistrate. I do not think that the petitioner should be continued in jail as under trial only because for the present, the offences remain only in respect of forgery and that he has paid back the amount to Ravinder Kaur.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file undertaking before the trial Court that he will not indulge in similar or any other kind of offence in future. Petitioner shall deposit his passport with the trial Court. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

October 13, 2017
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No