

**206 IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

**CRM-M No.25596 of 2018  
Date of Decision.21.06.2018**

Ramesh Kumar

.....Petitioner

Vs

Bhoop Singh and another

.....Respondents

**CORAM:HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. J.P.Sharma, Advocate  
for the petitioner.

Mr.S.K.Yadav, Advocate for respondent No.1.

Ms.Tanisha Peshawaria, DAG, Haryana.

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**AMIT RAWAL J.(ORAL)**

The prayer in the present petition is for the grant of regular bail to the petitioner in criminal complaint No. 16 of 01.08.2014 titled 'Bhoop Singh since deceased through his legal representative Parvinder Kumar v. Raj Kumar and another', under Sections 419, 420, 467, 468, 471, 120-B IPC pending in the Court of JMIC, Mahendergarh, in which the petitioner has been summoned to face trial vide order dated 20.03.2018(Annexure P-2) who has now been arrested and is in custody since 24.05.2018.

Mr.J.P.Sharma, learned counsel appearing on behalf of the petitioner submitted that Raj Kumar, the main accused who had issued fake certificate by using the name of the institution of the petitioner, had though been declined the concession of anticipatory bail by the trial court but vide order dated 07.06.2018 has been granted interim protection by this Court by

way of CRM-M-25337 of 2018, it is yet to be decided whether the petitioner had conspired with the main accused for issuing the certificate.

Mr.S.K.,Yadav, learned counsel appearing on behalf of the complainant submitted that the petitioner is running a racket and, therefore, should not be granted regular bail. So is the argument of learned State counsel.

I have heard learned counsel for the parties and perused the paper book. For the purpose of framing charge, the complainant has to lead pre-charge evidence and the witnesses of the complainant have to be subjected to cross examination. Only then the trial Court can come to the conclusion as to whether a case for framing charge is made out against the petitioner or not. In my view the petitioner should be enlarged on bail for it is a matter of evidence whether it was Raj Kumar or petitioner was conspirator with Raj Kumar for issuing certificate to the candidate for the purpose of submission of the application for appointment as Lamberdar. Resultantly, the crl. petition is allowed and the petitioner is ordered to be released on bail subject to furnishing of bail bonds to the satisfaction of the Duty Magistrate/trial Court, Mahendergarh.

**(AMIT RAWAL)**  
**JUDGE**

**June 21, 2018**

sunita

Whether reasoned/speaking  
Whether reportable

Yes  
No