

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53847-2018 (O&M)

Date of decision:28.02.2019

Jalaluddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. D.S.Matya, Advocate, for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

CRM-43159-2018

Application is allowed as prayed for.

CRM-M-53847-2018

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.581 dated 12.09.2018 under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station Palam Vihar, Gurugram.

Learned counsel for the petitioner contends that the name of the petitioner has been wrongly involved in this case. The only allegation against the petitioner is that he was having fake driving licence of himself and of two other persons, who are resident of Gurugram. It is further contended by the counsel that the allegation regarding possessing of two more fake driving licence is totally incorrect. The petitioner was having only his own driving licence. Even this licence was obtained by him through the other accused, namely, Akram. The said accused has just been arrested. Whereas, the petitioner has been in custody since 12.09.2018.

Challan has already been filed in this case. Therefore, the petitioner is not

required for any investigation purposes and there is no other case against him. The trial shall take long time.

On the other hand, learned State counsel, being instructed by SI Sushil Kumar, submits that the petitioner is part of a gang involved in preparing the fake driving licenses. However, it is not disputed that the petitioner is in custody since 12.09.2018, the challan has already been filed and that there is no other case against the petitioner.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

28.02.2019

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No