

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

CRM-M No.28180 of 2019
DATE OF DECISION : 6th SEPTEMBER, 2019

Harnek Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Bikram Singh, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.0024 dated 15.05.2018 registered under Section 420, 465, 466, 467, 468, 471 & 120-B IPC at Police Station Division No.1, District Pathankot.

It is contended by counsel for the petitioner that the petitioner has unnecessarily been involved in this case. Even as per the case of the prosecution the petitioner is alleged to have only identified the person who furnished surety before the court. However, that person, as well as his documents of identity, are genuine. Neither that person is alleged to be an impersonator nor it is alleged that the documents of his identity have been found to be false. Beyond identifying the said person, the petitioner is not connected with the matter at all. It is further submitted that the petitioner is in custody since 06.02.2019. The challan has already been presented. Therefore, the petitioner is not required for

any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the State, being instructed by the police official, submits that the petitioner is involved in an act which involves fraud with the court. Hence, the petitioner is involved in a heinous crime. However, it is not disputed that the role of the petitioner is limited to identifying the surety Vikram Kumar and his documents of identity. It is also not disputed that the said Vikram Kumar is a genuine person with the same identity and that the documents of his identity were also genuine.

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.

6TH SEPTEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>