

247

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

CRM-M-51644 of 2019

Date of decision: December 10, 2019

Rakesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. Pawan K. Garg, AAG Haryana.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.0157 dated 21.08.2019, under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860, registered at Police Station Sector 13/17, Panipat.

As per prosecution case, petitioner has been nominated, in this case, on the basis of disclosure of co-accused-Sandeep.

Contentends that the petitioner is in custody since 28.08.2019 and after investigation, in the matter, challan has already been presented on 30.08.2019. Also contends that there is no other case pending against the petitioner. Further contends that the charge(s) are yet to be framed and the petitioner has been nominated on the basis of disclosure made by co-accused-Sandeep.

On the other hand, learned State counsel, on instructions

from police official present in Court to assist him, has opposed the prayer of the petitioner and submitted that two fake insurance policies were recovered, inside the pollution centre, at the instance of the petitioner.

Heard both sides and perused the paper-book.

Concededly the pollution centre from where the two policies have been recovered, does not belong to the petitioner and as a matter of fact, co-accused-Sandeep is the licence holder of the said centre. Since the investigation is already over, challan has been presented and charges are yet to be framed; thus, the trial will take sufficient long time. As there is no other case pending against the petitioner, therefore, keeping in view the facts and circumstances of the present case, further incarceration of the petitioner would not be justified.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

December 10, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No