

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

**CRM-M-15430-2020 (O&M)
Decided on : 02.07.2020**

Parveen Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. K.S. Dhanora, Advocate
for the petitioner(s).

Mr. Kuldeep Tiwari, Addl. AG, Haryana
assisted by ASI Chunni Lal.

MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No. 13, dated 23.01.2020, under Sections 419, 420, 467, 468, 471, 120-B of IPC, registered at Police Station Sushant Lok, District Gurugram.

Learned counsel for the petitioner *inter alia* contends that the petitioner is innocent and has been falsely implicated in the instant case. In fact, neither was he named in the FIR nor any role assigned to him in the crime in question. He submits that the petitioner identified the imposter, who had allegedly impersonated himself as Mangal Sain i.e. the previous owner of the property on account of a *bona fide* mistake. Further contends that the co-accused namely Amit Kumar has since been extended the concession of regular bail by this Court vide order dated 18.05.2020. The petitioner is in custody since 03.03.2020 and hence, there is no likelihood of the trial concluding in the near future due to the outbreak of pandemic COVID-19.

Per contra, learned State counsel while vehemently opposing the prayer of the petitioner grant of regular bail, has apprised this Court on instructions from ASI Chunni Lal that another case FIR No. 441/2019, stands registered against the petitioner and the allegations levelled therein are similar to the one in the instant case. The learned State counsel has apprised this Court that three other accused, who were active participants in the crime in question are still at large.

Heard.

Prima facie, there are serious allegations against the petitioner, who identified the vendor of the alleged sale-deed. Admittedly, the petitioner is an Advocate, hence, the submission of the learned counsel for the petitioner that it was on account of a *bona fide* mistake that the petitioner identified the alleged impersonator, cannot be digested coupled with the fact that the petitioner is an accused in another case of similar nature, I do not deem it a fit case for the grant of the concession of regular bail.

Dismissed. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 02, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*