

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22192-2020 (O&M)
Date of Decision:-5.10.2020

Dharam Pal

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Akshay Bhan, Senior Advocate with
Mr. Amandeep Singh Talwar, Advocate for the petitioner.

Mr. Amrit Singh Narwal, DAG, Haryana.

Mr. Karanveer Singh Banyana, Advocate for respondent No.2.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.0599 dated 7.11.2017 at Police Station Panchkula, Sector-5, District Panchkula under Sections 420, 465, 467, 468 and 471 of Indian Penal Code, which was lodged at the instance of Rajinder Singhal.
2. It is alleged in the FIR that the complainant Rajinder Singhal as well as Dharam Pal (petitioner) were earlier partners in a firm namely 'M/s Sarottam Construction Company'. However, the said partnership firm later came to be

dissolved in the year 2006. It is alleged that after dissolution of the aforesaid firm, the petitioner, however, forged another partnership deed purported to have been entered on 4.8.2004 between the petitioner Dharam Pal (petitioner) and Rajinder Singhal for the purpose of constituting a partnership under the name and style of 'M/s Sarottam Construction Company, Narwana'. It is also alleged that the petitioner with the help of his co-accused/brother Rajinder Singhal also forged a solvency certificate apart from forging an experience certificate purported to have been issued by 'N. Goyal Associates' and on the basis of the said forged documents got himself enlisted as a contractor with 'Haryana Police Housing Corporation' and got allotted construction work from the said corporation. It is alleged that by way of such dubious means the petitioner had caused loss to the corporation and undue gain to himself.

3. The learned counsel for the petitioner has submitted that there is nothing on record to suggest that the documents in question have been forged by the petitioner and that infact it is case where two documents of partnership had been executed amongst the petitioner and the complainant initially.
4. Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant, has submitted that since the petitioner had forged material documents and on the basis of which had got undue benefit, no case for grant of bail is made out. The learned State counsel has, however, informed that the petitioner as of now has been behind bars since the last more than three months and challan already stands presented and that the petitioner is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.

6. Having regard to the facts and circumstances of the case especially that it is not a case where 'Haryana Police Housing Corporation' has been caused any financial loss and that the petitioner, in any case, has been behind bars since the last more than three months and that conclusion of trial is likely to take some time, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5.10.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No