

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

CRM-M-14850-2021 (O&M)

Date of Decision:- 25.10.2021

Sushil

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Kumar Sharma, Advocate, for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

(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 against him vide FIR No.292, dated 4.9.2019, Police Station Sadar Jind, District Jind, under Sections 406, 420, 468 and 471 IPC.
2. The FIR was lodged at the instance of Mr. Naresh Ahlawat, Excise and Taxation Officer, wherein it is alleged that petitioner-Sushil had issued some forged Statutory Forms (C Forms) to some firms in

District Jind, and that on the basis of said forged C Forms the said firms had gained financial advantage although the firms were not entitled to the said C Forms. It is alleged therein that upon verification it had been found that the C Forms in question had never been issued online from C Form Portal of Excise and Taxation Department, Haryana.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the instant case and that he is merely a Clerk working in an Advocate's Office and had nothing to do with issuance of any C Forms. It has been submitted that there is no evidence to connect the petitioner with the alleged forged C Forms in question. Learned counsel for the petitioner has further submitted that in any case even as per the case of prosecution the only loss caused on the basis of the alleged forged C Forms is to the tune of Rs.1,34,942/-.
4. Opposing the petition, learned State counsel has submitted that the petitioner is specifically named in the FIR and that during the course of investigation sufficient evidence has been found to connect him with the alleged forgery on the basis of which several firms had gained financial advantage and that in these circumstances no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner as on date has been behind bars for the last more than 9 months and that challan already stands presented. Learned State counsel has also submitted that the petitioner in fact stands involved in four more cases including three cases registered on the same day i.e. on 30.8.2019.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and while also noticing that the total financial loss caused on account of the forged C Form is stated to be Rs.1,34,942/- and also bearing in mind the fact that the case is totally based on documentary evidence, further detention of the petitioner who has been behind bars for the last more than 9 months will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

25.10.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No