

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

(Sr. No. 214)

**CRM-M No. 18739 of 2021**

**Date of decision : 21.05.2021**

**Vinod Sharma**

.....Petitioner

*Versus*

**State of Haryana**

.....Respondent

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. Sunil Kumar Goswami, Advocate for the petitioner.  
Mr. Ashok Kumar Sehrawat, DAG, Haryana.

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**DEEPAK SIBAL, J. (Oral)**

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.729 dated 11.12.2018 under Sections 420, 467, 468, 471, 406, 120-B IPC registered at Police Station Safidon, district Jind.

Briefly stated the case of the prosecution is that co-accused Balwinder Kumar sought and got loan from Bank of Baroda and as security he furnished a sale deed which was later found to be forged occasioning the lodging of the present FIR against him.

During the course of investigation of the FIR in question it was found that the petitioner had colluded with Balwinder Kumar and co-accused Kuldeep in preparation of the forged papers with regard to sale of a house on his plot when there was no construction thereupon. Accordingly

the petitioner was nominated as an accused and arrested.

Learned counsel for the petitioner contends that the petitioner is a 33 year old man having two children; he has been falsely implicated in the present case as the loan, allegedly on the basis of forged papers, had been procured by Balwinder Kumar and not by the petitioner; the petitioner had sold his property to Balwinder Kumar and received the sale consideration for the same; there is no other criminal case pending against the petitioner; the petitioner is in custody for the last over 4 months; report under Section 173 Cr.P.C. has already been filed and therefore the petitioner is not in a position to influence the investigation; no recovery is to be made from the petitioner; the entire case of the prosecution is based on documentary evidence which is in possession of the prosecution and that the petitioner's trial which is yet to begin is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that if the petitioner is released on bail he may indulge in similar offences.

The petitioner is a young man aged 33 years; there is no other criminal case pending against the petitioner; the petitioner is in custody for the last over 4 months; report under Section 173 Cr.P.C. has already been filed and therefore the petitioner is not in a position to influence the investigation; no recovery is to be made from the petitioner; the entire case of the prosecution is based on documentary evidence which is in possession of the prosecution and that the petitioner's trial which is yet to begin is likely to take a long time to conclude especially in the present

circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jind the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

**21.05.2021**  
*sunil yadav*

**( DEEPAK SIBAL )**  
**JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No