

In virtual Court

CRM-M-25489-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25489-2021 (O&M)

Date of decision: 04.10.2021

Anish Khan @ Nawab

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Farukh Abdullah, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-31351-2021

Notice of the application to counsel opposite.

On asking of the Court, Mr. Deepak Kumar Grewal, DAG,
Haryana accepts notice on behalf of the respondent-State and has no objection.

Accordingly, this application is allowed and in head note of the
main petition, instead of 'First Bail Petition', 'Third Bail petition' be read.

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Registry is directed to make necessary corrections.

CRM stands disposed of.

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Prayer in this 3rd petition is for grant of regular bail in FIR No.12 dated 08.01.2018 under Sections 120-B, 216, 380, 411, 413, 420, 457, 467, 471 IPC and Sections 36/37 of Aadhar Act, registered at Police Station Gohana City, District Sonipat; earlier two petitions were dismissed as withdrawn.

Learned counsel for the petitioner submits that the petitioner is now going to complete 02 years of custody and the offences are triable by the Court of Magistrate. It is further submitted that the FIR was registered at the instance of one Pawan with the allegations that his tractor trolley was stolen by somebody and later on, during the investigation, the petitioner was arrested on the basis of disclosure statement of co-accused. It is further alleged that the petitioner has prepared a forged registration certificate of the tractor and on the basis of same, an agreement to sell was executed with the complainant.

Learned State counsel has filed the custody certificate dated 02.10.2021 in the Court today. As per this custody certificate, the petitioner is involved in some other cases.

A perusal of the custody certificate shows that in some of the cases, the petitioner stands acquitted, in six cases, he has already undergone the sentence and in some other cases, he is on bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year, 11 months and 15

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days; offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

**[ARVIND SINGH SANGWAN]
JUDGE**

04.10.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No