

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM-M-19307-2021

Date of Decision : May 24, 2021

Sanjay Kumar

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parminder Singh, Advocate, for the petitioner.

Ms. Rajni Gupta, Addl. Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.63 dated 02.02.2021 under Sections 120-B, 420, 467, 468 and 471 IPC registered at Police Station City Karnal.

Learned counsel for the petitioner submits that the petitioner has wrongly been roped in the present FIR whereas the petitioner has done no wrong. Learned counsel for the petitioner further submits that the investigation is already over and the challan has already been submitted and therefore, keeping the petitioner behind the bars will serve no useful purpose as the trial is likely to take some time before it concludes.

Notice of motion.

Ms. Rajni Gupta, learned Additional Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of

the respondent-State.

Learned counsel for the respondent-State concedes that challan has already been submitted and the date has been fixed for framing the charges.

Learned counsel for the respondent-State submits that as there was recovery of the computer and fabricated and forged ration card, the petitioner is prima facie guilty of the offence alleged in the FIR which has also been proved in the challan presented against the petitioner. The prayer of the respondent-State is for declining the request of the petitioner for the grant of regular bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once the investigation is already over and the challan has already been submitted and the trial is likely to take some time before the same concludes, no useful purpose will be served in keeping the petitioner behind the bars especially when learned counsel for the petitioner submits that all the witnesses are the official witnesses and not private.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

May 24, 2021

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No