

**222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-22972-2021

Date of decision-18.08.2021

Pardeep Pengani

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sumeet Goel, Senior Advocate with
Mr. Samir Rahtaur, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.450 dated 02.10.2020 under Sections 120-B, 420, 467, 468 and 471 Indian Penal Code, 1860 and Section 12 (1) B Passport Act, 1967 registered at Police Station City Tohana, District Fatehabad. Petitioner is in custody since his arrest on 10.05.2021.

The allegations as noticed by the learned Additional Sessions Judge, Fatehabad in the order dated 31.05.2021 are as under:

“As per the police reply on 02.10.2020, Inspector Jagdish Chander, Incharge Special Investigation Team, Fatehabad sent a letter to police station that during investigation of case FIR No.360 dated 20.08.2020 Under Sections 420, 467, 468, 471, 474, 120-B, 201 of IPC and Section 12 (I)B of Passport Act, Police Station, City Tohana accused Anil Bhatia son of Ram Kishan resident of House No.569A/19, Bhatia Nagar, Tohana, Monu Sachdeva son of Jang

Bahadur resident of 9/6, Moti Nagar, West New Delhi, Kulbir Singh son of Ranjit Singh, resident of WZ 505, Gali No.26, Shiv Nagar, First Floor, Jail Road, New Delhi, Jayant Singh son of Ram Kumar, resident of Kotiyas Kasimpur, District Aligarh, UP at present D-5, Sudarshan Park near Kuraishi Meat Shop, New Delhi, Pritam Singh son of Lal Singh, resident of Dehchand, Police Charthawal, District Muzzafarnagar, UP at present House No. 4135, Mouli Jagran Complex, Chandigarh disclosed during investigation of said case FIR that they besides getting prepared 29 fake passports relating to said case FIR also got prepared other passports on the basis of fake names and addresses. It was also mentioned in the said letter that accused Anil Bhatia got prepared 21 fake passports in the names of different persons in the area of Tohana. Therefore, the, present case FIR was registered.”

Learned Senior counsel for the petitioner has argued that the petitioner has been falsely implicated in the present FIR and he is not involved in any other case. According to him, though the investigation of the case is complete, but the trial is yet to commence, as the charges have not been framed till date. He further submits that co-accused of the petitioner, namely, Kulbir, Pritam Singh and Debasish Chakraborty have already been released on regular bail. In this regard, he has invited the attention of the Court to Annexure P-2 and prays for bail.

On the other hand, learned State counsel assisted by Inspector Inderjeet has opposed the prayer, but does not dispute this fact that the petitioner is not involved in any other case. He submits that the final report was filed before the court of competent jurisdiction on 05.08.2021 and charges are yet to be framed. Further on instructions, he submits that the case is now fixed for 31.08.2021 for framing of

charges before the trial Court.

Considering the above background as well as the custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, as charges are yet to be framed, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 10.05.2021.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

18.08.2021
vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No