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

(Through video-conferencing)

**CRM-M No.26281 of 2021
Date of Decision: 30.07.2021**

MAHENDER SAIN

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Rohit Mittal, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.60 dated 07.02.2020, registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station City DLF, District Gurugram.

Petitioner has been nominated on the basis of disclosure statement of co-accused Chitranjan.

Learned counsel for the petitioner submitted that except the disclosure statement, there is no incriminating material

against the petitioner. Petitioner is in custody since 07.02.2020. Challan has been submitted and the offences are triable by the Magistrate.

Learned State counsel on instructions from EASI Suresh Kumar however opposed the bail on the ground that petitioner is the prime accused and he was instrumental in getting others to participate in the commission of offence. Of course challan has been submitted, but charges have not been framed so far.

Petitioner has been nominated on the basis of disclosure statement of co-accused Chitranjan. Evidently co-accused Sumit, Gurfan Ahmed, Dalip, Vijay and Karan have already been granted concession of regular bail by the High Court.

Keeping in view the custody of the petitioner and the fact that the offences are triable by the Magistrate, I deem it appropriate to enlarge the petitioner on regular bail, without adverting anything on merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

July 30, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No