

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

CRM-M-49320-2021

Date of Decision : 03.12.2021

Mangat Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Vivek Khatri, Advocate
for the Petitioner.

Mr. Naveen S. Pawar, Dy. Advocate General, Haryana
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.247, dated 24.06.2019, registered under Sections 420, 467, 468, 471, 120-B, 193, 201 of the Indian Penal Code, at Police Station City Jhajjar, District Jhajjar.

2. Mr. Rao Udai Bhan, Advocate has put in appearance and filed his Power of Attorney on behalf of the Complainant, today in Court; Be kept on record.

3. The Petitioner by now has remained in detention for nearly four weeks since 08.11.2021. He is alleged to have entered into a fictitious agreement with one Jagbir Singh against whom a Decree for Specific Performance of Contract was obtained by his Vendee Maalik Ram which

decree was affirmed right up to the High Court.

4. Ld. State Counsel is asked whether any recovery remains to be effected from the Petitioner to which the answer is 'no' since the questioned/ forged documents are already available with the Investigating Officer.

5. The bail is nevertheless opposed by Mr. Rao Udai Bhan, Advocate appearing for the Complainant considering “the gravity of the offences involved”.

6. As custodial interrogation of the Petitioner is undoubtedly not required since no recovery remains to be effected from him, his further detention for an indefinite period, at this stage, would clearly be of a punitive nature and not simply preventive or in the interest of investigation and against the sprit of the Hon'ble Supreme Court's decision in the case of **'Sanjay Chandra Vs. CBI' – Criminal Appeal No.2178 of 2011 (Arising out of SLP (Crl.) No.5650 of 2011)**.

7. In the circumstances, considering the long detention already undergone by the Petitioner, he is ordered to be released on bail to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

8. Disposed off.

December 03, 2021

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No