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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.6625 of 2022 (O&M)

Date of decision: 10.05.2022

Vikash and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.S. Khinda, Advocate
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.317 dated 18.11.2021, for offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Sector 17-18, Gurugram, District Gurugram.

Counsel for the petitioners has submitted that the FIR was registered on the basis of a secret information that Naveen Communication is preparing fake Aadhar Cards and PAN Cards. On receiving the information, a raiding party was formed and search warrant was obtained and thereafter, 02 boys were found at the shop and they disclosed their names as Vikash and Sunil Kumar, i.e. the petitioners, who are real brothers and on search of the shop, certain fake PAN and Aadhar Cards were found. It is submitted that the

investigation is complete; the offences are triable by the Court of Magistrate and both the petitioners are in custody for the last 05 months and 21 days and they are the first offenders.

Counsel for the State as per the affidavit of the Investigating Officer, which was prepared after verifying the facts of the case has argued that the Voter ID, Aadhar Cards and PAN Cards were found to be fake and with regard to the Aadhar Cards, the report is sought from the Unique Identification Authority of India, Chandigarh.

Without commenting anything on merits of the case, considering the fact that both the petitioners are in custody for the last 05 months and 21 days; the petitioners are not involved in any other case; the custodial interrogation of the petitioners is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioners are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

10.05.2022
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No