

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-10527-2022

Date of Decision:-05.04.2022

Ranbir Singh @ Ranbir Rana.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Yashveer Kharb, Advocate for the Petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.373 dated 25.09.2021 under Sections 406 and 420 IPC registered with Police Station Israna, District Panipat.

The prosecution case in brief is that a written complaint was submitted by the complainant Surinder that he was married to one Pooja on 23.10.2020 with the mediation of the present petitioner-Ranbir Singh @ Ranbir Rana. A sum of Rs.15,000/- was paid to Ranbir Rana for the said purpose. It was alleged that on 12.12.2020 Pooja along with Ranbir Rana fled away from his house after taking away cash amount of Rs.5 lacs and five tolas of Gold. Later on he came to know that all the accused were engaged in the business of getting fake marriages performed. On the basis of this complaint the aforementioned FIR came to be registered.

The Counsel for the petitioner submits that there is an inordinate and unexplained delay of 09 months in registration of the FIR because the allegations pertain to 12.12.2020 and the complaint was moved by the complainant on 25.09.2021. He further contends that it was co-accused Sarabjit Kaur who got the marriage solemnized. He submits that no recovery was effected from the present petitioner and that similarly situated co-accused namely Satish, Santresh, Suresh, Kulwinder Kaur, Geeta Rani and Sarabjit Kaur have been granted the concession of regular bail by the Court of learned Sessions Judge, Panipat and the orders are attached as Annexure P-2 to P-6. He contended that no recovery was effected from the petitioner and the report under Section 173 Cr.PC already presented to the Court on 14.12.2021. He lastly contended that the petitioner is in custody since 20.10.2021 and after the conclusion of investigation, no useful purpose would be served by keeping him incarcerated.

The Counsel for the State on the other hand has submitted that the petitioner is one of the main accused and a habitual offender and thus does not deserve the concession of regular bail.

I have heard the counsel of both the sides at length.

In the present case, petitioner has been in custody since 20.12.2021 and report under Section 173 Cr.PC was submitted on 14.12.2021. Even the charge has not been framed till date and as many as 07 prosecution witnesses are sought to be examined. It is also a fact that the co-accused of the petitioner have all been granted the concession of bail except Pooja who has not been arrested till date. With respect to the pending cases against the petitioner the counsel for the petitioner has produced orders showing that the petitioner has been granted bail in FIR

No.224/2021, FIR No.158/2021 and FIR No.155/2021.

Keeping in view the aforementioned facts, the further incarceration of the petitioner is not required.

Thus without commenting of the merits of the case, the present petition is allowed and the petitioner **Ranbir Sinh @ Ranbir Rana** son of Sh. Buta Singh is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, Panipat.

It is further made clear that if petitioner indulges in similar offence for which he is currently charged, the State would be at liberty to move an application for cancellation of bail.

(JASJIT SINGH BEDI)
JUDGE

April 05, 2022
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>