

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

CRM-M-19606-2022(O&M)

Date of decision: 12.10.2022

Deepak @ Naveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 297 dated 11.04.2021, registered under Sections 193, 420, 467, 468, 471, 120-B, 201 IPC, at Police Station Shivaji Nagar, District Gurugram.

Learned counsel for the petitioner submits that as per the investigation, Jai Bhagwan-father of the petitioner, who forged the Aadhar Card, Birth Certificate and Matriculation Certificate of the petitioner and produced the same before the Session Court for declaring the petitioner as a juvenile; that the FIR was registered by the learned Additional Session Judge; that the petitioner has no role to play in the alleged crime; that documents were forged and tendered in the Court by the father of the petitioner; that no benefit of the alleged forged documents has been taken by the petitioner; that at that time, the petitioner was confined in jail and faced trial in case bearing FIR No. 146 dated 11.05.2020, from 13.05.2020 and he was released on bail

in the said case on 07.01.2022; that the petitioner has been in custody since 24.02.2022; that the challan stands presented but charges are yet to be framed and that co-accused Ram Kishan and Ajeet are on regular bail.

Learned State counsel opposes the prayer for bail. However, he does not dispute the custody period of the petitioner and the fact that at the time of filing forged documents in the Court, the petitioner was in jail and the documents were forged and tendered by his father. He submits that charges have already been framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 24.02.2022. The documents were forged and tendered in the Court by the father of the petitioner and the petitioner was in jail at that time. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Moreover, two co-accused are on regular bail. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

12.10.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No