

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

**CRM-M-22483-2022
Date of decision: 27.05.2022**

Jatinder Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. S. Khinda, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.317 dated 18.11.2021, for offence punishable under Sections 420, 467, 468, 471, 120-B of the IPC (Section 201 IPC added later on), registered at Police Station Sector 17-18, Gurugram, District Gurugram.

Learned counsel for the petitioner, at the very outset, relies upon order dated 10.05.2022 passed in CRM-M-6625-2022, vide which co-accused Vikash and Sunil Kumar have already been granted the concession of regular bail by this Court. The operative part of the order reads as under:

“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.”

For the sake of brevity, the facts are not reproduced again.

Learned counsel for the petitioner further submits that the petitioner was not named in the FIR and later on, he was arrested. It is further submitted that the investigation is complete; the petitioner is in judicial custody for the last more than 06 months; he is not involved in any other case and since the offences are triable by the Court of a Magistrate, the conclusion of trial is likely to take a long time.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position. As per custody certificate, the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last more 06 months and 08 days; he is not involved in any other case and the conclusion of trial is likely to take some time as the offences are triable by the Court of a

Magistrate; the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

27.05.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No