

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23383-2022

Date of Decision: 31.5.2022

Sanjay Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Manish Soni, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.27 dated 28.1.2022 registered for the offences punishable under Sections 419, 420, 465, 467, 468, 471, 472 IPC at Police Station Sector 53, Gurugram.

Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case at the instance of his landlord and that no such forgery as has been alleged in the FIR was ever committed by the petitioner who is in custody for the last more than 4 months. Counsel further contends that the police has presented the challan but trial is yet to begin. Counsel for the petitioner made prayer that the petitioner be released on regular bail.

State counsel on instructions from SI Balwinder Singh has not disputed the custody period as well as the fact that challan has been

presented.

Admittedly, the case is triable by the Court of Judicial Magistrate, 1st Class.

As per custody certificate furnished by the State counsel, the petitioner is in custody for the last more than 4 months and is not involved in any other criminal case.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

May 31, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No