

245

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

**CRM-M-33472-2022
Date of Decision: 24.08.2022**

Manish

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. C.R. Narwal, Advocate,
for the petitioner.

Mr. Naveen S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.108 dated 11.03.2022, under Sections 467, 420, 468, 419 & 120-B IPC, registered at Police Station Siwani, District Bhiwani.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 25.05.2022 and thereafter, investigation of the case has been completed and the police has already filed the report under Section 173 of the Cr.P.C. before the competent Court. He further submitted that as per the allegations contained in the FIR, the petitioner was not named in the FIR and it is only thereafter, his name was nominated. He also submitted that as per the allegations, one Thakar Dass had died and he had left behind his property which was allotted to him in view of the

property in Pakistan. Thereafter, the property was succeeded by his children. Some of the persons allegedly impersonated the deceased and his relatives and the property was transferred in the name of some other person. So far as the present petitioner is concerned, the allegations were that he had conspired and he had made some fabricated documents but the petitioner was not even the beneficiary of the transaction. He further submitted that the petitioner has got clean antecedents and is not involved in any other case. He also submitted that be that as it may, no recovery is to be effected from the petitioner and the trial of the case may take long time, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Naveen S. Panwar, learned DAG, Haryana has stated that it is correct that the petitioner is in custody since 25.05.2022 and is not involved in any other case. He further submitted that it is also correct that the investigation of the case is already completed and no recovery is to be effected from the petitioner. So far as the role of the petitioner is concerned, he submitted that the petitioner had actively connived and conspired with the other co-accused, which ultimately resulted into the transfer of the property.

I have heard the learned counsel for the parties.

The petitioner is in custody since 25.05.2022. As per the learned counsel for the parties, the petitioner has got clean antecedents and is not involved in any other case and the investigation of the case has already been completed. The trial of the case may take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may abscond or flee from justice or may influence

any witness. Therefore, in view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

24.08.2022

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

- | | |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |