

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

Sr. No.106

CRM-M-53105 of 2021 (O&M)

Date of Decision: 23.02.2022

Manish Bhalla @ Manu Kashyap

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. J.S.Mehndiratta, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Keshav Pratap, Advocate for the complainant.

SANT PARKASH, J.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.444 dated 07.08.2021, registered under Sections 419, 420, 465, 467, 468, 471 IPC and Section 12 of the Passports Act, 1967 at Police Station Zirakpur, District SAS Nagar, Mohali.

The allegation against the petitioner is that he prepared forged passport, Adhaar Card and other documents by the name of Manu Kashyap, forged the rent agreement and by using the said documents, he also obtained housing loan from the bank.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He contends that the alleged forged passport was got issued in the year 2015 and as per the version of the complainant, the same was got prepared by the petitioner for fleeing the

country, whereas the same has not been used by the petitioner even once. He further contends that necessary investigation has been done by the police and nothing is to be recovered from the petitioner. He also submitted that the petitioner was involved in another FIR No.283 dated 15.04.2003, but in the said FIR, he has been granted bail by Hon'ble Supreme Court of India. The petitioner was arrested on 08.08.2021 in the present case and since then, he is in custody.

On the other hand, learned counsel for the complainant has vehemently opposed the prayer of regular bail and submitted that the petitioner was involved in the serious case of preparing forged documents and was in the process of fleeing the country on the basis of forged passport.

Learned counsel for the State also opposes the prayer made on behalf of the petitioner, however, he does not dispute the fact with regard to custody period undergone by the petitioner.

I have heard the learned counsel for the parties and perused the case file.

The petitioner is in custody since 08.08.2021 and has therefore, undergone actual custody of 06 months and 10 days. Further, the final report under Section 173 Cr.P.C. stands presented in the instant case and no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail

bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

Accordingly, the instant petition stands allowed.

**(SANT PARKASH)
JUDGE**

23.02.2022
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No