

CRM-M-51106 of 2022

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

CRM-M-51106 of 2022

Date of decision: 01.12.2022

Hari Ram

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Lajpat Rai Sharma, Advocate, for the petitioner.
Mr. Vikrant Pamboo, DAG, Haryana.

NAMIT KUMAR, J. (ORAL)

This second petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.66 dated 02.03.2022 under Sections 419, 420, 465, 467, 468, 471, 120-B IPC registered at Police Station City Pehowa, District Kurukshetra.

Affidavit dated 26.11.2022 of Gurmel Singh, DSP, Pehowa, Kurukshetra, submitted by learned State counsel in the Court is taken on record.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner was not named in the FIR; that except his disclosure statement, there is no other evidence to connect the petitioner with the present case; that only allegation against the petitioner is that he has accompanied the co-accused, who forged the Aadhar card of other person; that nothing is to be recovered from petitioner; that challan has already been presented and that the petitioner has been in custody since 02.05.2022. He further relies on the order dated

CRM-M-51106 of 2022

07.09.2022 passed by a Co-ordinate Bench of this Court in CRM-M-21417 of 2022 in the case of the petitioner himself wherein on account of similar allegations levelled against him in FIR No.32 dated 17.01.2022 under Sections 419, 420, 467, 468 and 120-B IPC (Section 201 IPC added lateron) registered at Police Station Civil Lines, Hisar, District Hisar, petitioner has been granted the regular bail.

Learned State counsel, while vehemently opposing the prayer for bail, submits that in his disclosure statement, the petitioner has admitted that he is a member of the gang, who files fake Aadhar cards in the Courts in lieu of the sureties. However, he does not dispute the custody period of the petitioner. He submits that challan was presented in this case on 01.07.2022 and charges have been framed; out of total 18 witnesses, 05 witnesses have been examined and now the case is fixed for 7.12.2022 for prosecution evidence.

I have heard learned counsel for the parties and perused the record.

The petitioner has been in custody since 02.05.2022. The only allegation against the petitioner is that he has accompanied the co-accused who forged the Aadhar cards of other persons and except that there is no specific allegation against him and no other linking evidence corroborating the guilt of the petitioner. The challan has been presented. The conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars anymore. No recovery is to be made from the petitioner.

In view of the above, without commenting anything on the

CRM-M-51106 of 2022

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.

01.12.2022

R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No