

(210) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3385-2023 (O&M)

Date of Decision:27.01.2023

Buta Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present : Mr. Nonish Kumar, Advocate for the petitioner.

Mr. Gurmeet Singh, A.A.G. Haryana
assisted by ASI Gurmeet Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.66 dated 27.01.2022 at Police Station 32-33, Karnal, under Sections 420, 467, 468, 471, 120-B, 201, 166, 218 IPC, Sections 7, 7A, 8, 13 of the Prevention of Corruption Act, 1988 and Section 12 of the Passport Act.
2. The allegations, in nutshell, are that the petitioner had been facilitating issuance of passports to various persons on the basis of forged documents.
3. Learned counsel representing the petitioner has submitted that the petitioner has falsely been implicated in the present case and that in any case, the passports had been issued after following due procedure including verification by the police.
4. Opposing the petition, the learned State counsel, while opposing the petition, has submitted that it is a case where some of the police officials were also hand-in-gloves with other accused in making false verification reports for the purpose of verification and that one of the false verification report had been furnished in respect of issuance of a passport to the petitioner as the false verification report had been furnished with regard to the residence and identity of the petitioner whereas the petitioner was not residing at the given address and as such, a passport

was got issued on the basis of false report and forged documents. Learned State counsel has further submitted that the petitioner has been behind bars since the last about 11 months and that trial is yet to commence and that as many as 30 prosecution witnesses have been cited. Learned State counsel also submitted that the petitioner happens to be involved in 14 other cases.

5. This Court has considered the rival submissions.
6. The investigating agency is stated to have collected evidence against the petitioner that he got passport issued in his name under fictitious name by furnishing incorrect address. However, at the same time, this Court also finds that the petitioner has been behind bars for the substantial period of about 11 months and several other accused including Mayank Nandi, Naveen Kumar, Vikas Kamboj and Manish have already been granted bail by this Court. The trial is yet to commence and as many as 30 prosecution witnesses have been cited. In these circumstances, further detention of the petitioner will not serve any useful purpose.
7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

27.01.2023
rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No