

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7529-2023 (O&M)
Date of Decision:-22.2.2023

Rajesh Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashit Malik, Advocate,
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by DSP Veer Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.72, dated 28.01.2022 at Police Station Sector 32-33, Karnal, under Sections 420, 467, 468, 471, 166, 201, 218, 120-B IPC, Section 12 of Passport Act and Sections 7, 7-A, 8 and 13 of the Prevention of Corruption Act.
2. The allegations, in nutshell, are that the petitioner, who was serving as Head Constable in Haryana Police had been facilitating issuance of passports to various persons on the basis of forged documents by making false reports regarding verification of applicants.

3. Learned counsel appearing on behalf of 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. Learned counsel for the petitioners submit that since identically situated co-accused namely Zora Singh, Vikas Kamboj, Amit, Mahesh Narang, and Manish have been granted bail by this Court, the petitioner also deserves the same concession on grounds of parity.
4. On the other hand, learned State counsel while opposing the petition has submitted that the petitioner had played a pivotal role in the issuance of passports inasmuch as it is the petitioner, who had conducted police verification of the candidates, who had furnished incorrect addresses, and as such his complicity is clearly evident. Learned State counsel has informed that the petitioner has been behind bars since the last about 1 year. It has also been informed that charges are yet to be framed inasmuch as 27 PWs have been cited. Learned State counsel has further informed that the petitioner happens to be involved in 6 other identical cases.
5. This Court has considered rival submissions addressed before this Court
6. Without commenting anything as regards the merits of the case, but having regard to the custody of the petitioner, which is about 1 year and also the fact that identically situated co-accused have already been granted bail by this Court and that conclusion of trial is likely to take some time inasmuch as the trial has not even commenced till date and as many as 27 PWs have been cited, further detention of the petitioner will not serve any useful purpose. 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.

22.2.2023
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No