

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

210

CRM-M-8449-2023
Decided on : April 17, 2023

AVNEET SINGH @ MANNI

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Gaurav Grover, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana

NAMIT KUMAR, J. (Oral)

This petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.725 dated 17.12.2022, under sections 177, 193, 419, 420 and 494 of IPC, registered at Police Station Ambala City, District Amabala.

Status report by way of affidavit dated 14.04.2023 of Mr. Deepak Kumar Jewaria, IPS , Assistant Superintendent of Police, Ambala , on behalf of the respondent/State of haryana is filed by the learned State counsel in Court today and the same is taken on record and copy thereof has been supplied to learned counsel for the petitioner.

FIR in the present case was got registered on the complaint made by the court of learned Sessions Judge, Ambala with the allegations that both the accused- Rajwinder Kaur and Avneet Singh (petitioner) had filed a protection petition bearing no.CRM-234/2022 for seeking protection for their life and liberty

at the hands of respondent no.4- Harpal Singh and respondent no. 5 Rajvir Singh of said case being (father and mother of Rajwinder Kaur). After protection was provided, as per report of police, it revealed that the father name of Rajwinder Kaur is Balwinder Singh and she was earlier married with Harpal Singh and one child born out from this wedlock. Harpal Singh appeared before learned Sessions Judge and stated that he had been fraudulently arrayed as father of Rajwinder Kaur whereas in fact he was husband of Rajwinder Kaur with whom he had married on 05.03.2017 and a girl child was born out of the wedlock. Rajwinder Kaur admitted that Harpal Singh was her husband. In the complaint made by the Court of learned Sessions Judge, it was stated that Rajwinder Kaur had projected Harpal Singh to be her father and also filed affidavit to that effect. There was manipulation of Aadhar card also.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he is in custody since 18.12.2022. He further submits that investigation in the present case is complete; Challan has been presented; charges have been framed and there are total 10 prosecution witnesses, who are yet to be examined and the trial proceedings are now fixed before the trial Court on 20.04.2023 for prosecution evidence. He is not involved in any other case. Trial may take a considerable time to conclude. Therefore, no fruitful purpose would be served by detaining the petitioner behind bars.

Per contra, learned State counsel, while referring to the status report submits that the petitioner alongwith co-accused Rajwinder Kaur have committed a grave offence of cheating to the Court by making alteration in the Adhar card of co-accused Rajwinder Kaur and therefore, he is not entitled for grant of regular bail.

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

Keeping in view the custody of the petitioner, which is about 04 months; investigation is complete; Challan has been presented; charges have been framed and prosecution witnesses are yet to be examined and trial is likely to take a considerable time, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

The petition stands disposed off accordingly.

April 17, 2023
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(NAMIT KUMAR)
JUDGE

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