

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

CRM-M-14331-2023
Date of decision: 24.03.2023

FAJROO		...PETITIONER
	VERSUS	
STATE OF HARYANA		...RESPONDENT

CORAM: HON’BLE MR. JUSTICE VIVEK PURI

Present: Mr. Abhinav Sood, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI,J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Fajroo-petitioner is seeking regular bail in the case bearing FIR No.347 dated 11.07.2018 under Sections 420/467/468/471 IPC, 1860 and Sections 120-B and 201 IPC were added later on, registered at Police Station Dharuhera, Tehsil and District Rewari.

Learned counsel for the petitioner contends that the FIR has been registered on the allegations that the petitioner had raised a loan of Rs.2,50,000/- by mortgaging the property on the basis of fake documents. It has been submitted that even otherwise the property which is actually owned by the petitioner and that has been mortgaged with the bank is sufficient to satisfy the outstanding loan amount. The petitioner is in custody for a period of 02 months and 05 days and the offences are triable by the Court of learned Judicial Magistrate 1st Class. The investigation of the case is complete and challan has been presented.

Learned State counsel has opposed the bail application on the score that

the petitioner has procured the loan by mortgaging the property on the basis of

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fake documents.

It is significant to note that the petitioner is in custody for a period of 02 months and 05 days. The offences are triable by the Court of learned Judicial Magistrate 1st Class. The investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

24.03.2023
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(VIVEK PURI)
JUDGE

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