

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-14696-2023

Date of decision: 24.04.2023

SUKHBIR

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Vimal Kumar Gupta, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

DEEPAK MANCHANDA, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.523 dated 10.10.2022 under Sections 420, 467, 471 and 120-B IPC, registered at Police Station Baldev Nagar, Ambala, who is alleged to have supplied fake educational certificates.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and is in custody since 21.10.2022. He submits that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail. Learned counsel further submits that the petitioner is not involved in any other case and co-accused, namely, Rakesh Kumar and Buntly Ram have also granted concession of regular bail by this Hon'ble Court vide orders dated 11.01.2023 (Annexure P-2) and 20.02.2023 (Annexure P-3), respectively.

On the other hand, learned State counsel assisted by Investigating Officer has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature. However, he

has not disputed the fact that challan has been presented, charges have been framed and in total, there are 14 prosecution witnesses but till date no witness has been examined. Learned State counsel further submits that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 21.10.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

April 24, 2023

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(DEEPAK MANCHANDA)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No