

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206 (01)

CRM-M-15654-2023
Decided on : December 12, 2023

SHERA

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Ms. Harsh Rekha Kapoor, AAG, Haryana.

NAMIT KUMAR, J. (Oral)

1. By way of filing the instant petition under Section 482 read with Section 437 (6) of Cr.P.C. , the petitioner has approached this Court seeking grant of regular bail in case FIR bearing No.32 dated 17.01.2022, under Sections 419, 420, 467, 468 and 120-B of IPC (Section 201 of IPC added during investigations), registered at Police Station Civil Lines, District Hisar.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the present case as the petitioner was not named in the FIR and he has been nominated as an accused on the disclosure statement of one Hari Ram, who was arrested on 22.02.2022, who suffered a statement to the effect that the petitioner has impersonated himself as surety and identifier by forging Adhaar Card of other person in connivance with other co-accused, however, he has nothing to do with the alleged occurrence. He submits that the petitioner is in custody for the last 01 year, 09 months and 10 days; investigation in the present case is complete; *Challan* has been presented on 01.07.2022; charges have been framed on 22.08.2022 and out of total 13 prosecution witnesses 04 have been examined and the trial may take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner further behind bars.

3. *Per contra*, learned State counsel, while placing on record, custody certificate, opposes the prayer for grant of regular bail to the petitioner. She submits that the petitioner is involved in other two cases bearing F.I.R. No.66 dated 02.03.2022, under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC, registered at Police Station City Pehowa, District Kurukshetra and FIR No.139 dated 08.11.2002, under Sections 323, 325, 375 read with Section 34 of IPC, registered at Police Station Siwan, District Kaithal. Upon this, learned counsel for the petitioner submits that the petitioner has already been acquitted in the aforesaid FIR No.139 on 24.01.2010 and in the abovesaid second FIR bearing No.66 dated 02.03.2022, the petitioner has been ordered to be released on interim bail vide order dated 16.08.2023 passed by a Co-ordinate Bench of this Court in CRM-M-17526-2023, which has been confirmed vide order of even date passed by this Court in the aforesaid case. However, she could not dispute that the investigation in the present case is complete; *Challan* has been presented; charges have been framed and out of total 13 prosecution witnesses 04 have been examined and the petitioner is in custody for the last 01 year, 09 months and 10 days.

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

5. Keeping in view the custody of the petitioner, which is more than 01 year and 09 months; investigation is complete; *Challan* has been presented; charges have been framed and out of 13 witnesses, 04 prosecution witnesses have been 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.

6. The petition stands disposed off accordingly.

December 12, 2023

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**(NAMIT KUMAR)
JUDGE**

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