

CRM-M-20392-2023 (O&M)

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2023:PHHC:085841

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

**CRM-26744-745-2023 in/and
CRM-M-20392-2023 (O&M)
Date of decision: July 05, 2023**

Rahul

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.K. Bishnoi, Advocate
for the applicant/petitioner.

Ms. Svaneel Jaswal, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

CRM-26745-2023

For the reasons stated in application, same is allowed subject to all just exceptions. Document (Annexure P-3) is taken on record.

CRM-26744-2023

For the reasons stated in application, same is allowed. Main case, which is slated for hearing on 09.08.2023, is taken up on board for hearing today itself.

Main Case

Petitioner seeks bail in criminal case bearing FIR No.193 dated 04.03.2023, registered under Sections 419, 420 IPC at Police Station Sadar, Hisar.

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2. Per FIR, on 04.03.2023, there is an allegation of impersonation against petitioner as he allegedly took Science examination of Class 10th representing himself as one Ashish son of Sh. Arvind Nain, a private student.

3. Learned counsel for petitioner contends that petitioner has no criminal background and is not involved in any other case. His antecedents are also clean. Further, all the witnesses are Government officials and the petitioner, in no manner, is in any capacity of influencing witnesses or tampering with the evidence.

4. On the other hand, learned State counsel opposes the bail petition. She submits that petitioner has committed serious offence. She further submits that co-accused of petitioner, namely, Ashish is yet to be arrested.

5. I have heard rival contentions of learned counsels for the parties and have gone through the case file.

6. Trial is still likely to take long time, whereas petitioner has already been languishing in jail for the past more than 4 months in preventive custody. Non-arrest of co-accused Ashish does not seem to be a very justifiable ground to deny bail to petitioner for an indefinite period.

7. Be that as it may, offence allegedly committed by the petitioner is of non-violent nature and in that sense his being released on bail is not a threat to society at large. In any case, allegations against petitioner are a matter of trial at this stage. Considering the overall scenario and without commenting on the merits of the case, the instant petition is allowed. I am of

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the view that no useful purpose would be served to keep the petitioner in further preventive custody.

8. Accordingly, petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court, where his case is being tried and in case he/she is not available, before learned Duty Magistrate, as the case may be.

9. In case, petitioner is found to be involved or gets involved in any offence while on bail, the prosecution shall be at liberty to seek cancellation of his bail in the instant case.

10. It is made clear that any observations and/or submissions noted herein above shall not have any effect on merits of the case as the same are for the limited purpose of bail hearing alone and learned trial Court shall proceed without being influenced with this order.

11. Pending application(s), if any, shall also stand disposed of.

**(ARUN MONGA)
JUDGE**

July 05, 2023
ashish

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No