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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 20881-2023 (O&M)

Date of Decision: 03.05.2023

Subhash alias Kuku

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Sarvjit Singh Khurana, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 12 dated 12.01.2022 under Sections 406, 420 IPC and later on added Sections 467, 468, 471 IPC registered at Police Station Sadar, Rewari, District Rewari.

Learned counsel for the petitioner contends that the petitioner is in custody since 19.12.2022. The allegations qua the petitioner, who is stated to be a relative of the complainant, are that he in connivance with

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other persons namely Surender alias Budhiyar, Ashwani alias Sunny, Vikram Sharma and Bhoop Singh committed cheating and forgery on the complainant on the pretext of getting his son a job in Railways and embezzled hefty amount. He further submits that the investigation of the case is complete and the challan stands presented on 03.03.2023 and co-accused namely Surender Kumar Yadav has already been granted interim bail by this Court on 17.02.2023 vide CRM-M-8498-2023 and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature, however, he does not dispute the fact that the investigation is complete and the challan stands presented and no other case is pending against the petitioner.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 19.12.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, she would hamper the course of free and fair trial. Further, since the investigation is complete and the challan stands presented and co-accused has been granted interim bail and there are no other antecedents and 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

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merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

03.05.2023
seema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>