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

CRM-M-24187-2023

Date of Decision: 27.07.2023

Hans Raj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sahil Choudhary, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.499 dated 12.06.2022, under Sections 406, 420, 468 & 471 IPC, registered at Police Station Indri, District Karnal.

2. It has been submitted by learned counsel for the petitioner that the allegations against the petitioner were that the petitioner along with the co-accused had forged signatures on the agreement to sell. He further submitted that the investigation of the case has already been completed and thereafter, challan has also been presented before the competent Court although the charges have not been framed. He also submitted that the petitioner is not involved in any other case and has clean antecedents and even otherwise also the present is a case which is triable by the Magistrate. He further submitted that now the petitioner is in custody from 09.10.2022

i.e. more than nine months and the trial of the case may take long time, therefore, he may be considered for the grant of regular bail.

3. On the other hand, Ms. Harpreet Kaur, learned AAG, Haryana has stated that it is correct that the petitioner is in custody from more than nine months and the investigation of the case has been completed. She further submitted that it is also correct that the petitioner has clean antecedents and he is not involved in any other case and the present case is triable by the Magistrate.

4. I have heard the learned counsels for the parties.

5. The petitioner has already faced incarceration for more than nine months and the investigation of the case has already been completed by the police and challan has also been presented before the competent Court. The present is a case which is triable by the Magistrate. The petitioner is stated to have clean antecedents and is not involved in any other case. Furthermore, it is neither the case of the State nor it has been argued by the learned State counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence.

6. Therefore, in view of the aforesaid facts and circumstances of the case, this Court deems it fit and proper to grant regular bail to the petitioner. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

7. However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

27.07.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |