

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

CRM-M-27154-2023

Date of decision : 01.09.2023

AZADVIR

....Petitioners

Versus

STATE OF HARYANA

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Sourabh Chauhan, Advocate and
Mr. Kamaldeep Sehra, Advocate for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana with
ASI Sube Singh.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.06 dated 04.01.2021 registered for the offences punishable under Sections 420, 467, 468, 471, 406, 201 and 120-B IPC, at Police Station City Palwal, District Palwal.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. On the last date following order was passed :

“Learned State counsel is directed to verify with regard to the job of the petitioner in the Municipal Council, Palwal and the cadre in which he was working.

Adjourned to 31.08.2023.”

4. Pursuant thereto State Counsel on instructions from ASI Sube Singh submits that the petitioner was appointed as Sweeper on DC rates.

5. Counsel for the petitioner submits that there was no occasion for the petitioner to be part of the offence as alleged. The petitioner is

behind bars for last more than 9 months. Not only the Challan stands presented even the Trial has proceeded considerably as most of the material witnesses stand examined and the incarceration of the petitioner cannot be prolonged as a punitive measure.

5. Mr. Ambavta however opposes the bail claiming that the allegations levelled against the petitioner are serious having got printed a fake receipt-book in the name of municipal council and another case i.e. FIR No.521 of 2022 dated 19th of August, 2022 for the offences punishable under Section 420, 120-B, 406, 467, 468, 467 IPC at Police Station City Palwal having been registered against the petitioner.

6. Faced with the situation counsel for the petitioner submits that the petitioner already stands admitted to bail in the said FIR vide order dated 31st of August, 2023 passed in CRM-M No.27685 of 2023.

7. Having heard counsel for the parties and after going through records of the case, without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner coupled with the fact that most of witnesses stand examined, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

September 01, 2023

Dpr

(PANKAJ JAIN)

JUDGE

Whether speaking/reasoned : Yes/No