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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2023:PHHC:081533

CRM-M-27914-2023

Date of Decision: 05.06.2023

Ankush

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present Mr. B.S. Mamli, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

SANDEEP MOUDGIL, J.(Oral)

Present petition is being filed under section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0474 dated 16.10.2022 (Annexure P-1) under sections 419, 420, 467, 468, 471 of IPC registered at Police Station Sector 17, HUDA, Jagadhri, Yamuna Nagar, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner has only identified Rajiv who has actually committed the forgery. It is further asserted by the learned counsel for the petitioner that co-accused Rajiv is the main culprit, who brought the petitioner to give surety for his brother. Counsel has also asserted the fact that main accused Pankaj alias Kalu, whose surety was given in another FIR No.509 dated 26.04.2018, has been released on probation vide judgment of conviction dated 11.02.2019 and order of sentence dated 15.02.2019 (Annexure P-2).

Learned State counsel, on the other hand, has produced the custody certificate wherein the petitioner has faced one month and four days

in jail, with the addition that in fact the petitioner is the one who identified Rajiv as the deceased Surender and made valiant attempt to mislead the whole investigation.

Considering the facts that nothing is to be recovered from the petitioner, investigation is complete and the challan stands submitted before the Court on 18.05.2023, no useful purpose would be served by detaining the petitioner in custody for an indefinite period wherein nothing is to be recovered from him.

Admittedly, as has been candidly accepted by the learned State counsel, wherein trial will take long time which is at the initial stage, the petitioner is directed to be released on bail on furnishing his bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(SANDEEP MOUDGIL)
JUDGE

June 05, 2023
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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |