

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

CRM-M No.27659 of 2023

Date of decision: 4th July, 2023

Suresh Chander

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Yashwinder Singh, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.463 dated 11.09.2022 under Sections 420, 467, 468, 471, 34 IPC registered at Police Station Adarsh Nagar Ballabgarh, District Faridabad.

2. Learned counsel for the petitioner inter alia submits that the false implication of the petitioner in the case in hand can be discerned from the fact that he was not even named in the FIR in question. He further submits that the petitioner was neither an impersonator of the complainant nor a beneficiary of the transfer deed in question and had been made an accused merely for being a witness to the transfer deed. It has been further submitted that all the other accused, including the alleged impersonator of the complainant in the transaction in question as also the beneficiaries of the transfer deed, had been granted the concession of anticipatory bail by this Court. Learned counsel has also

urged that since the case rests upon documentary evidence, there can be no apprehension or scope that the petitioner would tamper with the same.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from SI Joginder, has not been able to controvert the submission made by the petitioner that he was neither the impersonator of the complainant nor a beneficiary of the transaction in question. He has further submitted on instructions, that investigation is complete and the final report under Section 173 Cr.P.C. would be presented in the Court shortly.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the facts and circumstances as enumerated hereinabove, as the petitioner has now been in custody since 07.05.2023 and the trial shall take considerable time to conclude, this Court thus, deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 4, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No