

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

CRM-M-34626-2023

Date of Decision:18.08.2023

Vishank Bhardwaj

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Randeep Rai, Advocate with
Mr. Gautam Dutt, Advocate and
Ms. Eknoor Kaur Sara, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

Mr. Vikas Gulia, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr. P.C. with a prayer to grant regular bail to him in case FIR No.144 dated 25.04.2023 under Sections 406, 420, 467, 468, 471 and 34 of IPC registered at Police Station Arya Nagar, District Rohtak (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner was not named in the present FIR. The complainant has levelled allegations against a person namely Sandeep Sharma and the petitioner has not known as Sandeep Sharma. Learned counsel further contends that even assuming that the name of petitioner is Sandeep Sharma, he has been wrongly arrested on 07.06.2023. Still further, no money was deposited in the account of the present petitioner and even no specific allegation with regard to the payment of money has been made

against the present petitioner. Learned counsel further contends that a false recovery of Rs.30,000/- has been planted on the petitioner and no other incriminating material has been recovered from him. Learned counsel further contends that he is in custody since 07.06.2023 and the investigation is almost complete and the challan is likely to be presented against him.

3. On the other hand, learned State counsel assisted by Mr. Vikas Gulia, Advocate have vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the name of the petitioner is Sandeep Sharma and he has been specifically named in the present case. Learned counsel further submitted that one more case i.e FIR No.247/2021 under Sections 341, 397, 411 and 34 of IPC and under Section 25 of the Arms Act, Police Station Dera Bassi, Punjab has already been registered against the present petitioner.

4. In reply to this, learned counsel for the petitioner submits that the sister of the petitioner is having a matrimonial dispute with her husband and her husband has lodged the FIR No.247/2021 against the present petitioner due to said enmity.

5. I have heard the learned counsel for the parties and with their able assistance, I have perused the record carefully.

6. It is not in dispute that the petitioner is in custody since 07.06.2023 and all the offences are triable by the Court of Magistrate. Even the investigation is almost complete and the challan is likely to be presented soon and further custody of the petitioner will serve no meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his

furnishing bail bonds and surety to the satisfaction of the concerned trial Court/
Duty Magistrate/Chief Judicial Magistrate.

18.08.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No