

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

CRM-M-37581-2022

Date of decision : 08.08.2023

Anoop Kumar

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Sunil Bhardwaj, Advocate for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

Mr. Harsh Chopra, Advocate for the complainant.

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.0005, dated 06.01.2022 registered for the offences punishable under Sections 409, 420, 467, 468, 471, 120-B IPC, at Police Station Sector 17-18, Gurugram, District Gurugram.

2. Petitioner is in custody since 13th of February, 2022. Counsel for the petitioner submits that as per the allegations levelled against the petitioner it has been claimed that he along with other persons forged the attendance sheets by incorporating names of the fake employees. Whole of the evidence against the petitioner is in form of documentary evidence. The petitioner has no criminal antecedents and is behind bars for more than 1 year and 6 months. All the documents are in custody of investigating agency. Challan already stands presented. So much so the Trial has

proceeded to an advanced stage where all material witnesses including the petitioner already stand examined.

3. Counsel for the complainant as well as the State however opposed the bail eloquently and contend that act of the petitioner is in fact a pollutant to the public system creating holes in the public exchequers and thus the petitioner would not be entitled for grant of bail.

4. Having heard counsel for the parties, without commenting on the merits of the case, this Court finds that keeping in view the incarceration already suffered by the petitioner and the fact that continuation thereof cannot be for punitive measure and the stage of trial, 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.

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

August 08, 2023
Dpr

(Pankaj Jain)
Judge

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