

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

**CRM-M-42782-2022
DECIDED ON: 30.01.2023**

DHARAMBIR CHOWKIDAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. A.S. Kakkar, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.140, dated 08.04.2022 under Sections 406, 420 of the IPC, (Section 406 was deleted and 120-B was added later on by final report) registered at Police Station Murthal, District Sonipat (Annexure P-1).

Learned counsel for the petitioner contends that he is working as a Chowkidar in the village and signed the summons brought by the process server on the asking of Bhulan, who is Numberdar of the village. He further contends that the petitioner is an illiterate person and was unaware of the fact as to what he is signing but merely on the good faith put his signatures on the said document without even knowing that for what purpose the said documents are to be used.

Learned State counsel has produced the custody certificate which is taken on record. According to custody certificate, the petitioner is

behind the bars for the last 8 months and 1 day and he is not involved in any other such like case.

Learned State counsel submits that the charges in the present case also stand framed on 21.10.2022, though, no PW has been examined and now the case is fixed for 06.02.2022 for PWs.

Considering the gravity of the offence which is not much to be considered at this stage and looking at the illiteracy of the petitioner, who was working merely as a Chowkidar in the village, seems to have been implicated falsely in the case, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition is, hereby, allowed.

(SANDEEP MOUDGIL)
JUDGE

30.01.2023

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>