

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 42341-2022 (O&M)
Date of Decision: 14.02.2023

Dheeraj alias Dheeru

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Mukesh Mehra, Legal Aid Counsel
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 118 dated 02.04.2019, under Sections 420, 467, 468, 471, 201, 120-B IPC registered at Police Station Sadar, Fatehabad.

Learned counsel for the petitioner contends that the petitioner is in custody since 05.11.2020. He submits that the petitioner has been falsely implicated in the present case and the allegation against the petitioner is that the petitioner in connivance with other co-accused have created fake firms for their wrongful gain and caused loss of heavy amount

of GST to the State Exchequer/Government i.e. Rs. 3,77,245/- approximately. He further submits that the investigation already stands concluded and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and he is a habitual offender as 06 more FIRs on similar set of allegations have been registered against him and he is in custody in all the cases, however, does not dispute the fact that the the investigation is complete.

Faced with this learned counsel for the petitioner submits that though the petitioner is involved in six other FIRs on similar set of allegations yet he has been released on bail in 03 of them- in 02 by the trial Court and in 01 case by the Co-ordinate Bench of this Court vide order dated 30.01.2023 passed in CRM-M-3854-2023.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 05.11.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the matter stands investigated and material witnesses stand examined and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail

subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

14.02.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No