

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-40675-2023

Date of decision: 10.10.2023

Prabhat @ Sunny

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sachin Mankash, Advocate, for
Mr. Sandeep Sharma, Advocate, for the petitioner.
Mr. P.K. Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case FIR No.04, dated 05.01.2023, registered under Section 34, 406, 420, 467, 468, 471 of the IPC (Section 120-B of the IPC added later on) at Police Station Hansi Sadar, District Hisar.

The FIR was lodged on the complaint of Ram Kumar, as per which about one year ago, one Kuldeep son of Mangeram had told him that his brother-in-law can arrange a job in a Government Department. Kuldeep arranged a meeting with Virender son of Hari Singh who agreed to arrange a job and for that purpose he obtained Rs.7,00,000/- from the complainant. It is alleged that despite money having been given, no job was arranged and one month ago Virender had given a cheque of Rs.2,00,000/- which was dishonoured. The FIR was lodged. During investigation, the name of the

petitioner surfaced in the disclosure statement of Virender, as per which the petitioner prepared the forged documents.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case; that he is not named in the FIR; that his role is based on the disclosure statement of co-accused which is inadmissible; that the petitioner is in custody for the last 8 months, and as such he deserves the concession of bail.

Learned State counsel does not dispute that the petitioner is not named in the FIR, nor any amount was paid to him as per the contents of the FIR and that his name surfaced only on the basis of disclosure statement of the co-accused.

As per custody certificate placed on record by the learned State counsel, the petitioner is in custody for the last 8 months and 3 days and he has no criminal antecedents and the offences in question are triable by a Magistrate. The trial may take long time to conclude.

Having regard to the aforesaid facts and circumstances but without commenting anything on the merits of the case, the present petition is allowed. The petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

Disposed of.

(DEEPAK GUPTA)
JUDGE

October 10, 2023
vcgarg

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No