

CRM-M-44629-2023 (O&M)
Date of decision-30.11.2023

...Petitioner

 $V_S.$

...Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

MANJARI NEHRU KAUL , J. (Oral)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.1080 dated 05.12.2022 under Sections 406, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Karnal Civil Lines, District Karnal, Haryana.
2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner, who has been in custody since 26.03.2023, has been falsely implicated in the case in hand, for having allegedly forged the voter ID card of the complainant and also having forged his signatures, which were then used for getting the ownership of a car transferred in his name. He submits that the investigation in the case in hand, is complete as challan stands presented and even charges have been framed, however, none of the seven witnesses cited by the prosecution, have been examined so far. A prayer has, therefore, been made to extend the concession of bail to the petitioner as his further

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incarceration would serve no useful purpose.

- 3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from the I.O. has not been able to dispute that the investigation in the case in hand, is complete and even the charges stand framed. He has on further instructions informed the Court that the next date fixed before the trial Court is 04.12.2023, when the prosecution evidence is likely to commence.
- 4. I have heard learned counsel for the parties and perused the material placed on record.
- 5. The petitioner has been in custody since 26.03.2023 in a magisterial trial. Further incarceration of the petitioner would not serve any useful purpose as trial would take considerable time to conclude.
- 6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

30.11.2023

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No