

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

237

CRM-M-46076-2023 (O&M)  
Date of decision: 19.09.2023

Avtar Singh

....Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. Naveen Bawa, Advocate for the petitioner

Mr. H.S. Sullar, Sr. DAG Punjab

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**AMAN CHAUDHARY. J.**

1. Prayer in the present petition filed under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in case FIR No.115 dated 25.05.2023, registered under Sections 420, 465, 468, 471 and 120-B IPC, at Police Station Haibowal, District Ludhiana.

2. Learned counsel contends that the petitioner is in custody for about 5 months. He has been falsely implicated in the case. There is no complaint against him lodged by any person. At the time of alleged recovery, no independent witness was joined. It is a case of Magisterial trial. Charges have been framed on 14.09.2023. All prosecution witnesses are police officials and in all, they are 13. The petitioner is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that the allegations against the petitioner are of having prepared fake Aadhar cards, Voter cards and Pan cards etc. and a number of them have been recovered from his

possession at the time of arrest. He is however unable to controvert the submissions with regard to custody, stage of the case and petitioner not being involved in any other case.

4. Heard.

5. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last about 5 months; not involved in any other case; offences are triable by Magistrate; charges were framed on 14.09.2023; there are a total of 13 prosecution witnesses, who all are police officials, the trial is likely to take a considerable time, thus his further incarceration would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

6. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to his not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.

- (vi) The petitioner shall not in any manner misuse his liberty.
- (vii) The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

7. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

8. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)  
JUDGE

September 19, 2023  
M.Kamra

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