

2023:PHHC:132145

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM M-50478 of 2023
Date of Decision: 11.10.2023

Rajinder Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Parminder Singh, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.187 dated 11.03.2023 registered under Sections 409, 420, 34, 467, 468 and 471 IPC at Police Station Karnal, District Karnal.

2. The FIR in the present case was got registered by Sukhwinder Singh by alleging that his mother Smt. Sushila wife of late Sh. Lal Singh had applied for widow pension in the year 2015. However, no action was taken on the request made by his mother. In the year 2021, he came to know that his mother had already been granted the widow pension by the government since December 2015 and the same was being credited in the account of Sushil son of Lal Singh in Bank of Baroda, New Grain Market Karnal. On inquiry

from the bank, it was found that Aadhar card and the mobile number, which had been given for opening the bank account, were in the name of Rajinder Kumar, accused and the same Aadhar card number was also linked to the grant of disability pension in the name of Rajinder. Consequently, an application was moved to take action against Rajinder Kumar, accused. During the investigation, it was found that certain bank officials were also involved in the offence of cheating and forgery. Apart from that, the officials of District Social Welfare Office, Karnal, were also found negligent in performing their duties and the FIR was ordered to be registered under Sections 409 and 420 IPC.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 05.06.2023 and is in custody since then. He further contends that the challan has already been presented in the present case and all the offence in the present case, are triable by the Court of Magistrate. Learned counsel next contends that the first date of hearing for recording of the prosecution evidence is fixed on 20.10.2023 and the trial Court may take considerable time in concluding the trial in the present case.

4. On the other hand, learned State counsel has opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner and he does not deserve the concession of regular bail.

5. I have heard learned counsel for the parties and perused the record.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned

11.10.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

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