

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-50429-2023(O&M)
Date of decision:-30.11.2023

Manjot Singh

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Saurabh Sharma, Advocate
for the petitioner.

Mr.Munish Sharma, DAG, Haryana.

SUVIR SEHGAL, J. (ORAL)

CRM-49500-2023

At the outset, counsel for the applicant/petitioner seeks and is
granted permission to withdraw the present application seeking interim bail.

Dismissed as withdrawn.

CRM-M-50429-2023

1. Request made by counsel for the petitioner for preponement of the
hearing of the main petition is accepted. Date of hearing of the main case is
advanced from 15.01.2024 to today in view of the circumstances mentioned
in the order hereunder. Main case is ordered to be taken up.
2. Instant petition has been filed under Section 439 Cr.P.C. seeking

grant of post-arrest bail in:-

FIR No.	Dated	Police Station	Sections
238	06.04.2023	Assandh, District Karnal	406, 420, 467, 468, 471, 201 IPC and Section 12 of Passport Act, 1976

3. Case of the prosecution is that FIR, Annexure P1, has been registered on the statement of Virender Singh stating that when he applied for a passport, he came to know that a passport in his name already exists, which had been prepared with a photograph of Manjot Singh @ Lucky, present petitioner and apprehending that the passport may be misused, he lodged the FIR.

4. Counsel for the petitioner submits that the allegations levelled against the petitioner are false and there is unexplained delay of 4 years in lodging of the FIR. He submits that the alleged forgery had been committed by one Manoj Kumar alias Choti Wala, who has been enlarged on regular bail by the Sessions Court by order dated 13.07.2023, Annexure P4. By referring to Section 15 of the Passport Act, 1967, he submits that sanction to prosecute the petitioner has not been received so far. He submits that investigation qua the petitioner, who is a young man has been completed and the petitioner deserves to be enlarged on bail. Still further, he submits that petitioner’s sister is getting married on 02.12.2023 and his presence at the time of the ceremonies is essential.

5. *Per contra*, learned State counsel upon instructions from P/SI Sandeep Singh has opposed the petition by submitting that the petitioner has

an active role in the forgery and is the beneficiary. As per his instructions, charge has been framed on 11.08.2023 and some prosecution witnesses have been examined. He has filed a verification report dated 29.11.2023 and has confirmed marriage of petitioner’s sister on this weekend.

6. Having heard counsel for the parties and considering their respective submissions, this Court is *prima facie* of the view that the petitioner deserves to be enlarged on bail. Petitioner is accused of offence triable by a Magistrate and there is no apprehension that he is likely to abscond, influence the witnesses or obstruct the trial. Passport allegedly forged by the petitioner is a part of the challan. Petitioner’s sister is getting married after two days is another factor, which is in his favour. Noticing the above circumstances, this Court is of the view that the petition deserves to be accepted.

7. Without advertng to the merits or demerits of the arguments addressed by counsel for the parties, petition is allowed. Petitioner is ordered to be released on bail on furnishing adequate bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

8. Any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SUVIR SEHGAL)

JUDGE

30.11.2023

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Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No