

IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

217/9	CRM-M-56453 of 2022	
Jamshed	Date of Decision:20.07.2023	
		Petitioner
	Versus	
State of Haryana		
		Respondent
2)	CRM-M-56657 of 2022	
Rakesh		
		Petitioner
	Versus	
State of Haryana		
		Respondent
3)	CRM-M-53973 of 2022	
Manish		
		Petitioner
	Versus	
State of Haryana		
		Respondent
4)	CRM-M-54750 of 2022	
Mukesh Kumar		
		Petitioner
	Versus	
State of Haryana		
		Respondent
5)	CRM-M-46856 of 2022	
Manoj @ Monu Mirchi @ Monu		
		Petitioner
	Versus	
State of Haryana		
		Respondent

6)
Sanjay Nagar

CRM-M-60502 of 2022

....Petitioner

Versus

State of Haryana

.....Respondent

7)
Ram Saran

CRM-M-52027 of 2022

....Petitioner

Versus

State of Haryana

.....Respondent

8)
Mohmad Juned @ Junna

CRM-M-52057 of 2022

....Petitioner

Versus

State of Haryana

.....Respondent

9)
Mokhil

CRM-M-27961 of 2023

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON’BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:

Mr. H.S. Grewal, Advocate,
for the petitioner in CRM-M-56453 of 2022.

Mr. Sandeep Kumar, Advocate,
for the petitioner in CRM-M-56657 of 2022.

Mr. Baljeet Beniwal, Advocate,
for the petitioner(s) in CRM Nos.53973 & 60502 of 2022.

Mr. Krity Lohar, Advocate, and
Mr. Akshay Kumar Dahiya, Advocate,

for the petitioner in CRM-M-54750 of 2022.

Mr. Sukhcharan Singh Gill, Advocate,
for the petitioner in CRM-M-46856 of 2022.

Mr. Shakti Singh, Advocate,
for the petitioner in CRM-M-52027 of 2022.

Mr. Sarfarj Hussain, Advocate,
for the petitioner in CRM-M-52057 of 2022.

Mr. A. S. Shera, Advocate,
for the petitioner in CRM-M-27961 of 2023.

Mr. Naveen Kumar Sheoran, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

1. All the nine cases are taken up together for final disposal with the consent of learned counsels for the parties since all arise out of the same FIR and the prayer made in all the nine cases is for grant of regular bail in case FIR No.192 dated 13.05.2022, under Sections 419, 420, 467, 468, 471, 34 of the IPC, registered at Police Station Faridabad Central, District Faridabad.

2. The learned counsels appearing on behalf of the petitioners have submitted that as per the allegations contained in the FIR, Head Constable had caught three persons on the spot, namely, Jamshed (petitioner in CRM-M-56453-2022), Manish (petitioner in CRM-M-53973-2022) and Sanjay Nagar (petitioner in CRM-M-60502-2022) on the ground that they used fake documents for the surety purposes before the Courts and thereafter during investigation, the remaining petitioners, namely, Rakesh (petitioner in CRM-M-56657-2022), Mukesh (petitioner in CRM-M-54750-2022), Manoj @ Monu Mirchi @ Monu (petitioner in CRM-M-46856-2022), Ram Saran (petitioner in CRM-M-52027-2022), Mohmad Juned @ Junna (petitioner in CRM-M-52057 of 2022) and Mokhil

(petitioner in CRM-M-27961 of 2023) were nominated. Learned counsels have jointly submitted that it is a case where the entire case is based on suspicion and otherwise also it is a case which is triable by Magistrate and all the petitioners have already faced incarceration for about 14 months and the case is at the stage of prosecution evidence. They have submitted that all the petitioners have clean antecedents and they are not involved in any other case and since the case is triable by Magistrate and the trial may take long time, they may be considered for grant of regular bail. Learned counsels have also referred to a bail order passed by a co-ordinate Bench of this Court in CRM-M-48443 of 2022 titled Haider Ali versus State of Haryana by which bail was granted as. The aforesaid co-accused was on similar footing with that of the present petitioners.

3. On the other hand, Mr. Naveen Kumar Sheoran, learned DAG, Haryana has stated that so far as the custody period of the petitioners is concerned, the same is correct and it is also correct that all the petitioners are not involved in any other case and one of the other co-accused, namely, Haider Ali has been granted bail by a co-ordinate Bench of this Court in the aforementioned case. He has however opposed the grant of bail to all the petitioners on the ground that the petitioners used forged documents for standing as sureties in different cases before the Courts.

4. I have heard the learned counsel for the parties.

5. It is a case where all the petitioners have already faced incarceration for about 14 months and the investigation of the case has been completed and now the case is fixed for prosecution evidence and the case is stated to be triable by Magistrate. As per learned counsel for the parties, the other co-accused, who is stated to be at parity with the present petitioners, has already been extended the

benefit of regular bail by this Court. So far as the three petitioners, namely, Jamshed (petitioner in CRM-M-56453-2022), Manish (petitioner in CRM-M-53973-2022) and Sanjay Nagar (petitioner in CRM-M-60502-2022) are concerned, the same may not be exactly at parity with the co-accused, namely Haider Ali because they were caught on the spot and remaining petitioners were caught later on but that itself cannot become a ground for denial of bail to the aforesaid three petitioners. Furthermore, it is not the case of learned State counsel that in case the petitioners are released on bail, then they may abscond from justice or influence any witness or tamper with any evidence.

6. In view of the aforesaid position, all the nine petitions are allowed. The petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expresion of opinion on merits of the case and is only meant for the purpose of decision of these nine petitions.

(JASGURPREET SINGH PURI)

JUDGE

July 20, 2023

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