

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

206

CRM-M-60084-2022

Date of decision: 05.01.2023

Anokhe Lal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.241 dated 16.06.2022 lodged under Sections 420, 467, 468, 471, 506 and 120-B of the Indian Penal Code, 1860 registered at Police Station Central Faridabad, District Faridabad.

Learned counsel appearing for the petitioner, while inviting the attention of this Court to the allegations levelled in the FIR which has been annexed as Annexure P-1, *inter alia* contends that the petitioner allegedly identified a fake surety in the Court of Additional Sessions Judge, Fast Track Court, Faridabad after carrying out corrections in the registration certificate of a vehicle i.e. Swift VDI No.HR-51BA-7420 owned by the complainant. Besides this, the petitioner also allegedly stood as an identifier of the surety. Learned counsel submits that in fact it was a case of false implication and it was the clerk of his son's counsel before the Trial Court in FIR No.64 dated

23.01.2017, who had arranged for a surety for his son when he was granted bail and was unaware about fake documents having been submitted by the surety. He still further submits that the petitioner has now been in custody since 26.07.2022 for offences which are triable by Magistrate, and there is no likelihood of the trial concluding in the near future as even charges have not been framed. A prayer has, therefore, been made to extend the concession of bail to the petitioner as in the above circumstances, his further incarceration would not serve any useful purpose.

Per contra, learned State counsel while opposing the prayer of the counsel opposite, has not been able to dispute that investigation in the case in hand is complete and charges have not yet been framed. He further submits that the charges are likely to be framed on 09.01.2023.

On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he on instructions has replied in the negative.

I have heard learned counsel for the parties and perused the material placed on record.

The petitioner has been in custody since 26.07.2022 and only challan stands presented as on date. The petitioner is admittedly not involved in any other criminal case much less of similar nature. In the circumstances, this Court deems it fit to extend the concession of bail to the petitioner as the trial will take considerable time to conclude.

Accordingly, 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.

05.01.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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