

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 85-2023 (O&M)
Date of Decision: 11.01.2023

Rakesh Kumar

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Ms. Himani Anand, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 523 dated 10.10.2022, under Sections 420, 467, 471 and 120-B (added later on) of IPC registered at Police Station Baldev Nagar, District Ambala, Haryana, who is alleged to have supplied fake educational certificates.

Learned counsel for the petitioner contends that the petitioner is in custody since 24.10.2022. She submits that the petitioner has been falsely implicated in the present case as he has been nominated on the disclosure statement made by one Bunty Ram and there is no evidence against the petitioner herein. She further submits that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-

State, on instructions from SI Vijay Kumar, opposes the grant of regular bail

to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that the challan stands presented on 19.12.2022.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 24.10.2022.

It is not a case made out by the respondent-State that the concession of bail if granted to the petitioner would hamper the course of free and fair trial. Further since the challan stands presented and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

11.01.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No