

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1492-2024

Date of decision:- 18.01.2024

RITURAJ YADAV

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ramnish Puri, Advocate, for the petitioner.

Mr. G.S. Dhillon, AAG, Haryana

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in FIR No.10, dated 09.01.2022, under Sections 406, 420, 419, 467, 468, 471, 120-B IPC registered at Police Station Manesar Gurugram.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case being the sister of Parveen Yadav and was completely unaware of the transactions between Parveen Yadav and the complainant. He further contends that the petitioner was Branch Manager of Axis Bank where the alleged bank account in the name of office of G.C was opened by using fake documents and the said documents were supplied by main accused Parveen Yadav. The petitioner is in custody since 07.02.2022.

Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. According to which, the petitioner is behind bars for the last 1 year, 11 months and 10 days. He opposed the prayer

made in the present petition stating that the petitioner is involved in multiple FIRs as has been detailed in the custody certificate.

Be that as it may, despite the framing of charges on 20.03.2023, none prosecution witnesses has been examined so far which is sufficient for this Court to infer that the trial is moving at snail's pace, added with the fact the petitioner has suffered incarceration for a period of 02 years approximately, this petition deserves to be considered liberally in the light of the fact that the trial will take certainly long time and for that reasons the petitioner can not be detained for an indefinite period, which infringes his right to life and liberty.

As far as pendency of other case is concerned, this Court in various judgments has already observed that pendency of other FIRs involving the accused-petitioner cannot be a predicament to consider the case for anticipatory bail or regular bail, as the evidence of the material involved in those FIRs can be treated in those cases alone and is not material for the instant FIR.

In view of the aforesaid discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

18.01.2024
Sham/ramandeep singh

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No