

**241 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Decided on : 28.02.2024

CRM-M-4152-2024

Mohit Saini Petitioner

Versus

State of Haryana Respondent

CRM-M-4582-2024

Yugam Saini Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gaurav Sethi, Advocate
for the petitioner.

Ms. Jasleen Chahal, AAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

This order shall dispose of above-said two criminal petitions as both of them have arisen out of same FIR. Brief facts of the case are taken from CRM-M-4152-2024.

2. Instant petition has been filed by the petitioner seeking concession of regular bail in case FIR No.531 dated 09.09.2023 under Sections 406, 420, 468, 471, 201 and 120-B IPC registered at Police Station Mahesh Nagar, Ambala Cantt.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been in custody since 10.12.2023 in a Magisterial trial. The investigation in the case in hand is complete, however, charges have not yet been framed. Learned counsel has submitted that there is no likelihood of the trial concluding in the near future as 12 witnesses have been cited by the prosecution. It has been further submitted that even otherwise false and fabricated case has been planted upon the petitioner on account of some civil dispute for which a civil suit already stands instituted between the parties. Learned counsel has also submitted that there is one more criminal case pending between the same parties.

3. Per contra, learned State counsel while placing on record the separate custody certificates of the petitioner(s) has opposed the prayer and submissions made by learned counsel for the petitioner. She, on instructions, has not disputed the stage of trial. She on further instructions has informed the Court that the next date fixed before the trial Court is 01.03.2024 when charges are likely to be framed. Learned State counsel has further reiterated the allegations in the FIR (Annexure P-1), which stand registered against the petitioner; she has submitted that the petitioner on the basis of forged documents, had managed to procure an electricity connection in the name of one of the co-accused.

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

5. The petitioner has been in custody since 10.12.2023. The investigation in the case in hand is complete as challan stands presented. The trial will take time to conclude as charges are yet to be framed.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. 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.

28.02.2024
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(MANJARI NEHRU KAUL)
JUDGE

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