

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**CRM-M-11091-2024****Date of Decision: 6.3.2024**

Laxman Patel

....Petitioner**VERSUS**

State of Haryana

....Respondent**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Gautam Kumar, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana

***********KARAMJIT SINGH, J.**

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.389 dated 27.11.2021 registered for the offences punishable under Sections 420, 465, 468, 471, 120B IPC at Police Station Central Faridabad, District Faridabad.

2. The allegations in nutshell are that the petitioner got allotted EWS flat by producing one fake ration card. During investigation of the case, the petitioner was arrested on 22.12.2023.

3. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that all the offences are triable by the Court of Judicial Magistrate, 1st Class and on completion of investigation, the police has presented the challan but it will take time for trial to conclude. So, prayer is made that the petitioner be released on bail.

4. Present petition is resisted by the State counsel who submits that the petitioner took benefit of fake ration card and got allotted EWS flat in his name on the basis of the said fake documents. However, the State counsel on instructions from ASI Sanjay has not disputed the fact that the petitioner who was arrested on 22.12.2023, is presently lodged in judicial custody and is having no criminal history and that on completion of investigation, challan stands presented against the petitioner but the case is at its initial stage.

5. I have considered the submissions made by the counsel for the parties.

6. All the offences are triable by the Court of Judicial Magistrate, 1st Class. The petitioner was arrested in this case on 22.12.2023 and on completion of investigation, the police has presented the challan but the trial is at its initial stage. The petitioner is presently lodged in judicial custody. It will take considerable time for the trial to terminate. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

March 6, 2024

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No