



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M No.16596 of 2024
Date of Decision: 18.07.2024

Rinku @ Rinku Ram ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Dhiraj Jindal, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 439 of Cr.P.C. seeking regular bail in FIR mentioned below:-

FIR No.	Police Station	Sections
496	Panipat City, District Panipat	420, 467, 468 and 471 of IPC

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on 14.07.2022 on the basis of order passed by the Court of Nishant Sharma, learned Additional Sessions Judge, Panipat on 07.07.2022 showing that the present petitioner who was nominated as an accused in case bearing FIR No.16 dated 07.01.2017 registered under Sections 379-B and 307 of IPC at Police Station Model Town, Panipat, had been extended benefit of bail vide order dated 13.11.2019. He had furnished personal and surety

2024:PHHC:090367



bonds and was released on bail. Subsequently, he had absconded and on issuing of warrants of arrest against him and notices to his surety and identifier, it was revealed that the surety bonds were furnished by the persons whose names and addresses were found to be fake. Even the revenue record which was furnished by the surety was also found to be a forged document. Direction had been given to take action in the matter as the petitioner along with other persons had cheated the Court and had committed offences of forgery and use of forged documents. After registration of FIR, investigation proceedings were initiated. The petitioner who was in custody in some other case and was lodged in District Jail, Patiala was joined into the investigation of this case and had been formally arrested in this case on 25.08.2023. Investigation has since been completed. The petitioner had moved an application for grant of regular bail which had been dismissed by the Court of learned Additional Sessions Judge, Panipat vide order dated 08.02.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no material on record to show that the petitioner in any manner had connived in furnishing the forged surety bonds. He is in custody since 25.08.2023. The trial is likely to take time. The petitioner was in jail at the time of furnishing of the surety bonds and this fact had not been taken into consideration. He even stands acquitted in the case in which the alleged forged bonds were furnished. The trial is likely to take time. His further detention would not serve any useful purpose.

Therefore, it is argued that the petition deserves to be allowed.

2024:PHHC:090367



4. Per contra, learned State counsel has argued that there are specific and serious allegations against the petitioner who hoodwink the Court by managing false surety and identifier at the time of furnishing bonds in case bearing FIR No.16 dated 07.01.2017 registered under Sections 307 and 379-B of IPC at Police Station Model Town, Panipat. His complicity in the act of cheating the Court and committing forgery by ensuring forged surety bonds by impersonating some fake persons was evident from the record. There are chances of petitioner's absconding again if extended benefit of bail. He has criminal antecedents as many as six other FIRs have been lodged against him. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner and learned State counsel at considerable length and have gone through the record.

6. The petitioner who had been extended benefit of bail by the Court of learned Additional Sessions Judge, Panipat in case bearing FIR No.16 dated 07.01.2017 vide order dated 13.11.2019, misused the said benefit by furnishing bonds by arranging fake/forged documents and by impersonating false surety and identifier. The allegations against the petitioner are quite serious in nature. He is a habitual offender. The plea that he may abscond if extended benefit of bail, cannot be stated to be unfounded at this stage. Keeping in view the nature of the subject offences, the quantum of sentence which the conviction may entail, the fact that the petitioner tried to deceive the Court of law and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the



considered opinion that the petition does not deserve to be allowed at this stage. Hence, the same is dismissed.

18.07.2024
manju

(MANISHA BATRA)
JUDGE

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