



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

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CRM-M-30338-2024 (O&M)**Date of decision: 01.08.2024****PARVEEN KUMAR GARG**

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jagmohan Singh Bhatti, Advocate, for the petitioner.

Mr.Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.174 dated 26.04.2024 under Sections 420, 467, 468, 120-B of the IPC registered at Police Station Sector 17, HUDA, Jagadhri, District Yamuna Nagar.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 26.04.2024 in a magisterial trial wherein false allegations have been levelled against him that he had tampered and forged some stamp papers. It has been further submitted by the learned counsel that the case at hand rests on documentary evidence and the investigation in the present case is complete as even challan stands presented. Hence, further incarceration of the petitioner would serve no useful purpose as none of the 11 prosecution witnesses have been examined so far.

3. Per contra, learned State counsel, while opposing the prayer and submissions made by learned counsel for the petitioner, has not

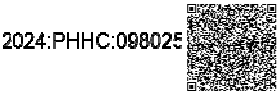


disputed that the investigation in the present case is complete and challan stands presented. It has also not been disputed that the entire case of the prosecution hinges upon documentary evidence.

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

5. Before proceeding further, it would be relevant to reproduce the contents of the FIR which reads as under:-

“It is prayed that I Ravi Kumar son of Sh Roshan Lal resident of house number 145/4 Vishkarma Mohalla Yamuna Nagar is a resident of this place. I have a house no.90 in state number 10 in Azad Nagar. An agreement (Bainama) dated 27.09.2023 took place with Mohinder Singh Son of Kartar Singh resident of house number 309 Vishkarma Mohalla Yamuna Nagar and this whole fast to be purchased by me. When I approached to the Mohinder Singh for the registration of these houses then he told me to hand over the money to Parveen Kumar Garg of the Court Campus to seek the Stamp Papers. That on 15.12.2023 eight payday sum of Rs.3 lakhs in cash to Parveen Kumar Garg while making a payment of Rs.101300/- (Rs.1 lakh thirteen hundred) and then Rs.198000 (Rs.One lakh Ninety Eight Thousand) to get the stamp paper. When I approached Mohinder Singh to get the execution of the registration then he put off one pretext or the other. When I felt that there could not be any execution of the deed then be asked for the stamp papers and the person receiving the amount of Rs. 3 lakhs retired the stamp paper worth Rs.101300/- and then Rs.198000/-. Since there was a change in the printing of the amount in the stamp paper so I got suspicious. From the other vendor certificate number 10P 2023 L 448 and GRN No.1106003 the valued for Rs.101300/- (valued for Rs.101) was received by Parveen Kumar Garg mobile no.93553718975 having OTP on this number and it is also mentioned on the stamp paper. And for the other template but when I wanted to seek information for the stamp but valued for Rs.19800/- 10P2023L851 GRN



No.1105201124, there is not any information on the portal of Haryana Government. Sir I want to draw your kind attention for this scam committed by the stamp vendors to go with the Haryana Government Exchequer is put to loss and the public is also put to loss. I request you to kindly take action against such persons and an independent enquiry may kindly be initiated for the sale of stamp papers for the execution of the registration. I shall be grateful to you. Thanking you. Sd/- Ravi Kumar 25.04.2024.”

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to admit the petitioner on bail as the charges are likely to be framed only on the next date of hearing coupled with the fact that since 11 prosecution witnesses have been cited, the trial would take considerable time to conclude.

7. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

August 01, 2024
poonam

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