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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-35246-2024
Date of decision:-30.07.2024

RAJPAL SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Munish Kamboj, Advocate for the petitioner.
Mr. Vipul Sherwal, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

Learned State counsel has filed custody certificate dated 27.07.2024, the same is taken on record, copy thereof, has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case:-

FIR No.	Dated	Sections	Police Station
225	30.05.2024	419, 420, 465, 467, 468, 471, 120-B IPC	City Fatehabad, District Fatehabad

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is aged about 77 years and has been implicated in this case on flimsy grounds and is in custody since 30.05.2024. He submits that the petitioner neither happens to be Nambardar nor Panch who was required to



attest the sureties nor even his signatures appear on the surety bonds. He submits that petitioner is not having any criminal antecedents, as such he prays for grant of regular bail to the petitioner.

4. *Per contra*, learned State counsel has submitted that as per the FIR the role attributed to the petitioner is that he had conspired with the surety and the identifier in furnishing fake surety bonds and bail bonds in the Court of learned Magistrate leading registration of the FIR and consequent arrest of petitioner on 30.05.2024. He, however, admits that petitioner is not having any criminal antecedents.

5. After considering the rival contentions and perusing the record, it transpires that as per the allegations of the FIR, the petitioner is alleged to have conspired with the surety and identifier to furnish the fake surety in the Court, however there is nothing on record that the petitioner had identified any surety nor his signature appeared on the surety bonds. Petitioner is 77 years old person having no criminal antecedents. After completion of investigation, challan has already been presented in Court and conclusion of trial to ascertain criminal liability, if any of the petitioner in the present case triable by the Court of Magistrate, will take sufficient long time, no purpose would be served by detaining him in custody any longer.

6. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other



case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

30.07.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |