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2024:PHHC:037275

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

**CRM-49932-2023 in/and
CRM-M-43892-2021
Date of Decision : 14.03.2024**

MISHRI LAL

.....Petitioner

VERSUS

ADESH KUMAR PATWARI AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Gitesh Sharma, Advocate,
for the applicant/petitioner.

Mr. Vishal Singh, Advocate,
for respondent no.1.

Mr. Abhinas Jain, DAG, Haryana.
for respondent no.2.

KULDEEP TIWARI, J.(Oral)

CRM-49932-2023

1. Application is allowed as prayed for, subject to all just exceptions.

CRM-M-43892-2021

2. Through the instant petition filed under Section 439(2) read with Section 482 of the Cr.P.C., challenge has been thrown to the order dated 25.08.2021 (Annexure P-9), whereby respondent no.1/accused, was granted the relief of regular bail by the Court learned Additional Sessions Judge, Faridabad, in case FIR no.45, dated 09.03.2021 (Annexure P-1), under Sections 409, 420, 467, 468 and 471 of the IPC, registered at Police Station Chhainsa, District Faridabad.

3. Learned counsel for the petitioner has raised only argument before this Court that the respondent/accused was granted, the concession of regular by the learned Sessions Court concerned, within a period of 19 days of his arrest, whereas, the instant FIR was registered on an order of the Deputy Commissioner concerned.

4. He further submits that the allegation of the forgery has been very much proved by way of FSL report, therefore, the impugned order (*supra*) is required to be interfered and set aside.

5. This Court has minutely examined the impugned order (*supra*), and finds no illegality and perversity in that order. In fact, at the time of granting regular bail to respondent no.1/accused, learned Sessions Judge concerned, considered the fact that the entire prosecution is based upon a documentary evidence, and all the documents which are required for investigation is well within the custody of the police official, and considering the period of incarceration and the fact that all the offences in the FIR are triable by a judicial magistrate, the learned Additional Sessions Judge concerned, extended the benefit of regular bail to the respondent no.1/accused.

6. Consequently, the instant petition is ordered to be **dismissed**.

March 14, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No