

CRM-M-43482-2024

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

284

CRM-M-43482-2024

Date of Decision :11.09.2024

Rajeev

..Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravi Malik, Advocate & Ms. Sweeti Chahal, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

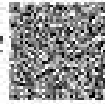
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Harsimran Singh Sethi, J. (Oral)

Present petition is a 3rd petition filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.474 dated 16.10.2022 registered under Sections 419, 420, 467, 468 & 471 of the IPC (Sections 201 and 120-B of the IPC added later on) at Police Station Sector 17, HUDA, Jagadhri, District Yamuna Nagar, Haryana.

Learned counsel for the petitioner submits that in the present case, allegations alleged against the petitioner are that while furnishing bail bonds, co-accused has submitted forged documents whereas the petitioner was only a surety. Learned counsel for the petitioner further submits that the petitioner has already undergone incarceration for a period of 01 year

and 09 months and the trial is not likely to be concluded in near future as



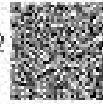
out of the total 14 cited witnesses, only 04 witnesses have been examined so far hence, the petitioner may kindly be granted the benefit of regular bail especially, when the main accused namely, Ankush against whom the allegations are of submitting forged documents, has already been granted the benefit of regular bail by a Coordinate Bench of this Court while passing order in CRM-M-27914-2023 on 05.06.2023 (Annexure P/2).

Learned State counsel though, does not dispute the factum that petitioner was only a surety but submits that he had impersonated one Surinder hence, he may kindly be not granted the benefit of regular bail.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It may be noticed that the allegations alleged against the petitioner are yet to be proved during the course of trial. The petitioner is behind the bars for the last 01 year and 09 months and as out of the total 14 cited witnesses, only 04 witnesses have been examined so far, trial is not likely to be concluded in near future hence, no useful purpose will be achieved by keeping the petitioner behind the bars during the entire period of trial especially, when nothing has come on record that in case, petitioner is granted benefit of regular bail, he will misuse the same by influencing the witnesses or obstructing the trial rather, learned counsel for the petitioner has undertaken before this Court that the petitioner will not obstruct the trial or influence the witnesses, whose statements are yet to be recorded in any manner.

Apart from this, co-accused namely, Ankush against whom there is allegation of submitting forged documents, has already been



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granted the benefit of regular bail by a Coordinate Bench of this Court while passing order in CRM-M-27914-2023 on 05.06.2023, which fact has gone unrebutted, hence, the petitioner has made out a case for the grant of benefit of regular bail.

It is made clear, that in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 11, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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