

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

109

CRM-M-57058-2024

Date of Decision : December 12, 2024

SAHIL

-PETITIONER

V/S

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vivek Goyal, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through this petition cast under Section 483 of the B.N.S.S., the petitioner prays for him being granted the concession of regular bail, in case FIR No.289 dated 29.07.2024, under Sections 318(4), 336(3), 338, 340 and 61(2) of the B.N.S.S., registered at P.S. Sadar Gohana, District Sonapat.
2. Succinctly stated, the prosecution's case is that, the petitioner along with his co-accused hatched a criminal conspiracy to, on the basis of fake IDs, take vehicles on loan and sell the same further. In pursuance of this criminal conspiracy, they procured fake IDs, which were used by them to open fake accounts in different banks and to purchase different vehicles. The petitioner got recovered Scooty bearing registration No.HR-11P-3146, make: TVS Jupiter, and, a Platina bike bearing registration No.HR-06BE-3246, which were purchased on the basis of fake documents. Moreover, he also got recovered copy of the fake Aadhar Card No.6367872223 and Pan Card No.IUKM0986B and bank copy of HDFC bearing account no.50100719068702, in which customer name is mentioned as Kuldeep son

of Nafe Singh, resident of Khanpur Kalan, District Sonapat and bank copy of IDFC bearing account No.10159996833, in which name of customer is mentioned as Deepak Malik son of Ashok Kumar, resident of Bhadar, District Panipat.

3. The learned counsel for the petitioner opts not to address any arguments on merits of the case, rather confines the sphere of his arguments only to the period of incarceration suffered by the petitioner, besides the stage of trial. He submits that, since the trial, which is a Magisterial trial, is at its initial stage inasmuch as none of the 19 prosecution witnesses has yet been examined, therefore, no fruitful purpose would be served by keeping the petitioner behind the bars, who has already suffered incarceration of approx. 04 months. He also submits that, although the petitioner is involved in three more FIRs, however, the nature thereof is not alike the one at hand and the petitioner is on bail therein.

4. The learned State counsel although vociferously opposes the grant of regular bail to the petitioner, however, on instructions imparted to him by the official concerned, he verifies that the charges were framed on 12.11.2024 but none of the 19 prosecution witnesses has been examined so far.

5. This Court has heard the submissions made by the learned counsels for the parties and perused the record.

6. Be that as it may, considering the fact that: (i) as per the custody certificate dated 11.12.2024, as placed on record today by the learned State counsel, the petitioner has suffered incarceration of 04 months and 03 days till 11.12.2024; (ii) although the petitioner is stated to be

involved in three more FIRs, however, the custody certificate (supra) speaks that he has been granted bail therein; (iii) there is no likelihood of the trial, which is a Magisterial trial, concluding anytime soon inasmuch as none of the 19 prosecution witnesses has yet been examined; this Court deems it appropriate to grant the concession of regular bail to the petitioner. Therefore, without commenting upon the merits and circumstances of the present case, the present petition is **allowed**. The petitioner is ordered to be released on bail on furnishing of bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

December 12, 2024	(KULDEEP TIWARI)
devinder	JUDGE
Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No