



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-57198-2024 (O&M)
Decided on: January 30, 2025

SureshPetitioner
Versus
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Garima Sharma, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal, DAG, Haryana.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of the BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Suresh son of Pala Ram	496	03.09.2023	Ss. 177, 193, 419, 420, 467, 468, 471 & 120-B IPC	Ambala City	Ambala

2. Learned counsel for the petitioner submits that petitioner has not been named in the FIR and the only allegation qua him is that he alongwith co-accused has allegedly cheated upon the Court for the purpose of giving surety of accused Sajay @ Dharmender and forged



certain documents, i.e. photograph, Aadhaarcad etc., by using the same as genuine. Further submits that the petitioner is inside jail since 29.05.2024 and after completion of investigation final report/challan has been presented to the Court, but trial is yet to commence, which is triable by the Magistrate. There are no chances of early conclusion of trial. Also submits that the petitioner is aged about 31 years and nothing is to be recovered from him. There is no previous history of involving of the petitioner in similar activity.

Thus, prays for grant of bail to the petitioner.

3. On the other hand, learned State counsel submits that the petitioner has, in fact, defrauded the Court by appearing as a fake surety, by preparing fake Aadhaar Card and photograph etc. However, learned State counsel does not dispute the fact that investigation has already been completed and the final report/challan has been submitted, but the trial is yet to start.

4. Considering all the submissions addressed by both the sides and noticing the fact that the offences are triable by the Court of Magistrate; final report/challan has been submitted, but the trial is yet to start; and that petitioner is inside jail since 29.05.2024, i.e. for the last about 8 months, I am of the view that liberty of the petitioner cannot be curtailed for indefinite period.

5. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.



6. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.
7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
8. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 30, 2025
Pkapoor

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: YES/NO