

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.37913 of 2015
Date of decision:-19.11.2015

Rajinder Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether Reporters of local papers may be allowed to see the judgment? (Yes/No)**
- 2. To be referred to the Reporters or not? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest? (Yes/No)**

Present: Mr. Sanjeev Majra, Advocate, for
Mr. R.S Dhull, Advocate,
for the petitioner.

Mr. Vikas Malik, DAG, Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.200 dated 23.06.2015 registered under Sections 384,388,419,420,120-B and 506 IPC at Police Station Civil Lines, Kaithal, District Kaithal.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. The occurrence took place in the year, 2012 and the matter was reported to the police by the complainant in the year 2015. The delay of more than 3 years has not been explained. As per statement of the complainant recorded under Section 164 Cr.P.C, the petitioner was not present at the spot and as per allegations levelled in the FIR, no specific role has been attributed to the petitioner. Learned counsel also submits that the complainant has not supported the case of the prosecution as it was stated by him in his statement before the Court that the

petitioner was not present at the spot. Co-accused of the petitioner namely, Jai Parkash has been released on regular bail on 16.11.2015 by this Court. The complainant as well as shadow witnesses have been examined. The remaining witnesses are official witnesses and there is no possibility that the petitioner may influence them.

Learned counsel for the respondent-State has not disputed the custody period as well as examination of complainant and shadow witnesses and also the fact that co-accused of the petitioner has been granted regular bail.

In view of the submission made by learned counsel for the petitioner and also the fact that the complainant as well as shadow witnesses have already been examined and cross-examined; the remaining witnesses are official witnesses and there is no possibility that the petitioner may influence the other witnesses; nothing is to be recovered from the petitioner and he is in custody since 25.06.2015; co-accused of the petitioner has already been released on regular bail, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail/surety bonds to the satisfaction of the trial Court.

19.11.2015

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**(DAYA CHAUDHARY)
JUDGE**