

CRM No. M-41899 of 2014

Date of decision: March 17, 2015

VIRENDER

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Saini, Advocate
for the petitioner.Mr. Charanjit Singh Bakshi, Addl. A.G., Haryana
for the respondent-State.Jaspal Singh, J.(Oral)

This order shall dispose of petition preferred under Section 439 of Code of Criminal Procedure for grant of bail in case FIR No.251 dated 03.09.2013, under Sections 420, 406, 323, 452, 506, 34 of Indian Penal Code (Sections 467, 468, 471 and 120-B IPC added subsequently) registered at Police Station Jind Sadar, District Jind, during the pendency of the trial.

Allegations against the present petitioner are that he in connivance with his co-accused R.K. @ Devraj Singh, Fateh Singh and Surender induced the complainant-Rajender that he will be employed in the Railway Department. To achieve the said purpose, petitioner got deposited a sum of Rs.1.5 lac in the account of his mother Banta Devi whereas another sum of Rs.1.5 lac was deposited by him in the account of R.K. @ Devraj Singh out of total settled amount of Rs.5.00 lac.

Here it would be pertinent to mention that co-accused, Fateh Singh and Surender have already been granted the concession of pre-arrest bail whereas Banta Devi could not be arrested as she is evading her arrest. Petitioner was arrested in this case on November 25, 2013. Since then, he is suffering incarceration, who is already facing trial before the trial Court, disposal of which is likely to take sufficient long time.

Taking into consideration the allegations as well as fact that he is cooling his heels behind the bars for the last more than one year and three months, this court is of considered view that a case is made out for releasing the petitioner on bail. Accordingly, petition is allowed. Petitioner is ordered to be released on bail at the satisfaction of trial Court subject to the conditions that petitioner shall not tamper with the evidence; he shall appear on each and every date of hearing except with the permission of trial Court and co-operate with trial. In case of violation of any of these conditions, the trial Court shall be competent to cancel this order as well.

March 17, 2015
m. sharma

(JASPAL SINGH)
JUDGE