

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-44406-2014

Date of decision : 20.02.2015

Suresh Kumar @ Kala

... Petitioner

Versus

The State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Rajkapoor Malik, Advocate
for the petitioner.

Ms.Neelam Kashyap, DAG, Haryana.

Mr.Sanjeev Majra, Advocate
for the complainant.

REKHA MITTAL, J.(ORAL)

The petitioner prays for grant of regular bail in FIR No.241 dated 20.08.2014 registered in Police Station City Kaithal, District Kaithal for offence punishable under Sections 406, 420, 467, 468, 471, 120-B of the Indian Penal Code (in short 'IPC').

Counsel for the petitioner inter alia contends that offence under Sections 467, 468, 471 and 120-B IPC have been deleted and the petitioner has been charged for committing offence under Sections 406, 420 IPC only. On completion of investigation, challan has been presented in the Court and conclusion of trial by the Judicial Magistrate is likely to take its own time. The petitioner is ready to face proceedings without any default.

Counsel for the State and counsel for the complainant have opposed the prayer for bail.

The offence charged against the petitioner is triable by the Judicial Magistrate. The petitioner is in custody since 11.11.2014 and no longer required for the purpose of investigation. There is no allegation against the petitioner that the petitioner does not have a permanent place of stay and is likely to flee from process of justice in case enlarged on bail.

Without meaning to express any opinion on merits of the controversy, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds to satisfaction of the trial Court, subject to the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

February 20, 2015.
DK