

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21876 of 2017
Date of Decision: 20.06.2017

Rajpal

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mandeep Singh Khillan, Advocate
for the petitioner.

Mr. H.N. Sahu, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.154 dated 29.04.2017 registered for offences punishable under Sections 195, 195-A, 420 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Indri, District Karnal.

Heard.

Notice of motion.

On asking of the court, Mr. Gaurav Jindal, Addl. AG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per allegations in the FIR, the petitioner in connivance with Raj Kumar, Pawan and Dr. Desh Raj got a false case registered against Rajinder and others. Injuries on the person of Raj Kumar were found to be self inflicted. As per investigation conducted by Deputy Superintendent of

Police, Assandh, this FIR was got registered.

Learned State counsel submits that injuries were in fact fabricated on the person of Raj Pal in connivance with Dr. Desh Raj, who has also been arrested and is in custody.

Learned counsel appearing for Rajinder submits that the petitioner alongwith others named in the FIR have formed a gang and get false cases registered against persons and then blackmail them.

The petitioner was arrested in this case on 02.05.2017. Allegation against him is that he alongwith his co-accused has falsely got FIR No. 32 dated 04.02.2017 registered at Police Station Indri against Rajinder and others for the occurrence dated 04.02.2017 in which they alleged that they were caused injuries.

As per learned State counsel the police has completed the investigation and challan is ready to be presented.

Keeping in view above facts, I find that keeping the petitioner in custody will not serve any purpose. Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Rajpal is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel

his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

June 20, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No