

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-26781-2017 (O&M)
Date of decision: - 19.9.2017**

Chander Kala

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN.

Present: - Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Naveen Kaushik, Addl. AG, Haryana.

ARVIND SINGH SANGWAN, J (ORAL)

This is a petition under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 1180, dated 10.11.2016 under Sections 294-A, 406, 420, 120-B IPC and 3 of HPDE Act, registered at Police Station City, District Gurugram.

Learned counsel for the petitioner submits that petitioner is in judicial custody since 30.1.2017 and all the offences are triable by the Court of Magistrate. He further submits that investigation in this case was completed, however, on 6.6.2017, Chief Judicial Magistrate, Gurugram has ordered further investigation in this case and a period of three months has already been expired.

It is further submitted that as per the provisions of Section 437 (ii), Cr. P.C., since the petitioner is a woman, she may be granted the concession of regular bail, despite the fact that investigation is still going on.

On the other hand, learned State counsel, on instructions from ASI Suresh Kumar, submits that statements of 41 witness have already been recorded under Section 161 Cr. P.C and as per the disclosure statement of the petitioner, some more accused persons are yet to be arrested.

Without commenting upon merits of the case, present petition is allowed. Petitioner is directed to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Gurugram.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

19.9.2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No