

205.

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

CRM-M-2890-2017

Date of decision:11.12.2017.

RAJIV KUMAR @ HUNNY

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.H.S. Dhindsa, Advocate, and
Mr. R.K. Verma, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.51 dated 13.04.2016 under Section 420 IPC, registered at Police Station Division No.5, Ludhiana.

The aforesaid FIR was registered at the behest of the complainants, namely, Parveen Sharma and others, wherein it has been alleged that the petitioner has taken money from them so as to get them employed in the Railways Department.

On 12.10.2017, learned State counsel has stated before this Court that there are five cases against the petitioner and accordingly, he sought time to file custody certificate.

Today learned State counsel has filed the custody certificate of the petitioner in court, which is taken on record. As per custody certificate,

apart from the present FIR, only one FIR i.e. FIR No.140 dated 02.08.2005 under Sections 420/467/468/471/120-B IPC, Police Station Malerkotla has been specified against the petitioner. In the said FIR, petitioner has been convicted by the learned Sub Divisional Judicial Magistrate, Malerkotla vide judgment dated 31.03.2017 and sentenced to undergo rigorous imprisonment for one year and to pay a fine of ₹1,000/-. But the custody certificate further suggests that the petitioner had been released in the case on 03.10.2017 after completion of his actual sentence and while extending him the benefit of remission. Thus, the statement of learned State counsel made on 12.10.2017 that the petitioner is involved in five cases is found to be incorrect.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody since 10.08.2016 and the trial in the case will take sufficient long time, petitioner is admitted on bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

Accordingly, present petition is allowed.

It is made clear that while releasing the petitioner on bail, the trial Court may impose any other reasonable condition as it may deem fit.

(HARI PAL VERMA)
JUDGE

11.12.2017
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No