

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

CRM-M-28439 of 2018(O&M)

Date of Decision: 16.07.2018

Joginder @ Giani

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Bipan Ghai, Sr. Advocate, with
Mr. Vishavjit S. Virk, Advocate, for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

Mr. Yashveer Kharb, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Joginder @ Giani in a case arising from FIR No.301 dated 17.05.2018 under Sections 195-A/506/34 IPC, registered at Police Station Samalkha, District Panipat.

According to the prosecution, petitioner Joginder @ Giani along with his co-accused, who are on bail in some other case, in which he is not an accused, threatened the complainant through a video circulation to face dire consequences.

Learned Senior counsel for the petitioner *inter alia* contends that in the alleged video, the petitioner is not seen, threatening anyone including the complainant. The instant FIR has been lodged by the complainant on imaginary bases. The petitioner is in custody since 17.05.2018.

Learned State counsel vehemently opposing the submissions made by learned counsel for the petitioner submits that two more cases i.e.

468/471 IPC and FIR No.85, dated 22.02.2016, registered under Section 147,149,186,152/431,283/341 IPC are pending against the petitioner. Therefore, he does not deserve any concession of bail.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

16.07.2018

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(RAMENDRA JAIN)**JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No