

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51105-2018 (O&M)

Date of decision:28.11.2018

Naib Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. P.S.Ahluwalia, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed for seeking bail pending trial in FIR No.01 dated 12.01.2018 for the offences punishable under Sections 406, 420, 120-B of IPC, registered at Police Station Naggal, District Ambala.

Learned counsel for the petitioner contends that the case against the petitioner is concocted one. Even during the investigation, it has been found that out of Rs.16 lacs alleged in the case, Rs.8 ½ lacs were paid to co-accused-Rakesh Kumar. However, co-accused-Rakesh Kumar has already been granted bail by this Court. It is further contended by the counsel that although the prosecution claims having a recording of certain conversation in regard to the case, however, the petitioner is not found to be present in these audio recordings as well. The petitioner is in custody since 29.09.2018. Challan has already been presented. The petitioner is not required for any investigation purposes and there is no other case against him. The trial shall take a long time.

On the other hand, learned State counsel, being instructed by ASI Gurdev Singh, submits that the petitioner is specifically named in the FIR as the person who has received the money. However, it is not disputed by the State counsel that there is no other case against the petitioner and that the challan has already been filed in the case.

In view of the above, without commenting on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

28.11.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No