

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

209

**CRM-M No.1715 of 2019
Date of Decision : 23.1.2019**

Pardeep Kumar

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.236 dated 31.8.2011, registered under Sections 420, 406, 506, 120-B IPC at Police Station Pehowa, District Kurukshetra, Haryana

Mr. J.K.Goel, Advocate has entered appearance on behalf of the complainant.

Custody certificate dated 21.1.2019 by way of affidavit of Sh. Subhash Chander, Dy Superintendent, District Prison (Kurukshetra)-Haryana has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel.

The primary contention of the learned counsel for the petitioner is that this case pertains to the year 2011 and the petitioner was found

innocent but suddenly after seven years without even notice, the petitioner has been arrested. On the other hand, learned counsel for the complainant has argued that actually at one stage reinvestigation was carried out on what the petitioner has done and that report had found the petitioner guilty but that was never allowed to be seen in the light of the day. Learned DAG on instructions from SI Balwinder Singh has accepted that there are two reports and one of them proved the petitioner innocent and second report proved the petitioner guilty.

In view of the facts that the allegations pertain to the period of more than seven years ago and no investigation is to be completed, I do not deem it appropriate to deny the petitioner the concession of regular bail. Moreover, if the petitioner is found guilty, he will ultimately suffer whatever punishment has been imposed on him. Bail to the satisfaction of concerned trial Court/Duty Magistrate. Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

23.1.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No