

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

CRM-M No. 10541 of 2019
Date of decision : March 25, 2019

Vijay Pandit

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. DS Virk, Advocate
for the petitioner.

Dr. Sushil Gautam, DAG Haryana

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.401, dated 31.8.2016, registered under Sections 387, 364-A, 216, 511, 120-B of the IPC and Section 25 of the Arms Act, at Police Station City Kaithal, District Kaithal.

As per allegations, the petitioner along with co-accused had gone to the clinic of the complainant and had made a extortion demand.

Counsel for the petitioner has argued that when the complainant came to give his testimony, he stated that the petitioner was not the person who had come to his clinic.

Learned DAG Haryana has filed custody certificate of the petitioner and on instructions from ASI Vijender Singh has stated that the petitioner is a hardened criminal as would be seen from the custody

certificate because he has been convicted in many cases and is an accused in many other cases. He has further stated that if the period of sentence in other cases is deducted from the custody period in the present case his custody in this case is hardly 2 to 3 months. He is, however, not in a position to deny the fact that the complainant has not identified the petitioner during his testimony.

In these circumstances, without commenting upon the merits of the case, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court/Duty Magistrate. It is, however, clarified that in case the petitioner does not furnish surety bonds pursuant to this bail order, he would not be entitled to claim the period from today onwards as custody period in the present case.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 25, 2019
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No