

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13565-2019 (O&M)
Date of decision: 01.05.2019

Satyawan

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.1014 dated 06.12.2018 under Sections 120-B, 384, 389, 506 IPC, registered at Police Station Karnal Civil Lines, District Karnal.

Learned counsel for the petitioner has relied upon the order dated 15.03.2019, granting regular bail to co-accused Geeta, which reads as under: -

“Counsel for the petitioner has submitted that as per the allegations in the FIR, the petitioner had made a phone call to the complainant and asked him to meet her and thereafter on 20.11.2018, one Satyawan called the complainant and informed him that the petitioner has to go to Karnal to meet him and both the petitioner and Satyawan went to Delhi and the complainant, Satyawan, the petitioner along with one Sanjay had meals together

and then, all of them came back to Hisar. On the next day, the petitioner and Sanjay went back and the petitioner along with Satyawar had gone to Hisar and on the next day, he along with Sanjay came to Karnal and then Satyawar, informed the complainant that the petitioner is searching him along with 02 other persons and are coming to meet him on his petrol pump. Later on, all these 03 persons informed that the petitioner want to lodge an FIR against the complainant. It is further stated that a demand of Rs.20 lacs was made and the complainant allegedly paid a sum of Rs.13.75 lacs.

Counsel for the petitioner has submitted that no recovery was effected from the petitioner and she is in custody since 21.12.2018 and the investigation is complete and the petitioner is no more required for further investigation.

Counsel for the State, on instructions from SI Jai Narain has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial custody since 21.12.2018; she is not involved in any other case; the investigation is complete; the petitioner is no more required for further investigation and conclusion of the trial is likely to take some time, this petition is allowed and the petitioner is directed to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.”

Learned counsel for the petitioner submits that even co-accused

Manoj has been granted the concession of regular bail by the trial Court vide order dated 18.03.2019, considering the fact that challan has been presented, charges have been framed and the case is now fixed for recording the prosecution evidence.

Learned State counsel, on instructions from SI Jai Narain, has submitted that recovery of Rs.22.50 lacs was effected from the petitioner, however, it is not disputed that the petitioner is not involved in any other case.

Without commenting anything further on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds, to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

01.05.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No