

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

**CRM-M-30107-2019
Date of decision: 24.07.2019**

Pardeep alias Pahalwan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rajinder Singh Malik, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 265 dated 16.05.2017, registered under Sections 406, 420, 506 and 34 of the IPC at Police Station Ganaur, District Sonapat.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Ram Kumar, it is stated that complainant wanted his son Manjit to be recruited in Haryana Police and the petitioner assured him that he knew some person who can get the work done. It is further stated in the FIR that thereafter, the complainant arranged money and gave the same to accused No. 1 Rajesh Sharma.

Learned counsel for the petitioner further submits that the offences are triable by the Court of a Magistrate and the petitioner is in judicial custody since 14.02.2019; challan stands presented and the charges have been framed and it will take a long time in conclusion of the trial.

Learned State counsel, on the basis of the custody certificate filed today in Court, has not disputed the factual position, however, submitted that petitioner is involved in some other cases, in which he stands acquitted.

Learned State counsel further submitted that petitioner remained a proclaimed offender for a considerable long time and in that regard, an FIR under Section 174-A IPC was registered against him, however, he could not dispute the fact that petitioner is in judicial custody since 14.02.2019 and no prosecution witness has been examined so far.

Learned State counsel further submitted that petitioner, in his disclosure, has admitted that he has taken commission of Rs. 1.5 Lakh, however, he has spent the amount and no recovery was effected from him and co-accused Rajesh Sharma is yet to be arrested.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering fact that the offences are triable by the Court of a Magistrate; petitioner is in judicial custody since 14.02.2019 and the trial is likely to take a long time as no prosecution witness has been examined so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

24.07.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*