

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5305-2020 (O&M)
Date of Decision: 13.02.2020

Abhinay @ Abhi

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Jaswal, Advocate for the petitioner.

Mr. Nischal Mann, DAG, Haryana.

Mr. Sayyam Batra, Advocate
for the complainant.

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Manoj Bajaj, J. (Oral)

Petitioner has filed this second petition under Section 439 C.P.C. for grant for regular bail in case FIR No.61 dated 03.07.2019, under section 420 IPC (Sections 467/468/471/120-B IPC added later on), registered at Police Station Bapoli, District Panipat. He is in custody since his arrest on 10.07.2019.

The FIR in the present case was registered on the statement of complainant Ajay that he had applied for the post of Conductor in the Haryana Roadways. He received a call on mobile No.9773563094 and was informed by the caller that his papers were received late in the office, but the complainant could get his work done, if he would give ₹1,00,000/- to him. Thereafter, the complainant deposited the said amount in the account No.20025644436 IFSC FINO 0001198 Bank FINO PAYMENT BANK, and after that, the complainant made a call to Roadways Office at Panchkula and

he came to know that the appointment letter sent by him was forged and

fabricated. He also received a call from Mobile No.8130186238 and 9773563094 and the caller told him to deposit an amount of ₹24,500/-.

Learned counsel for the petitioner submits that the parties have entered into a compromise on 20.12.2019. He contends that the investigation of the case is complete and the final report has been filed on 30.09.2019, therefore, further custody of the petitioner may not be necessary.

On the other hand learned State counsel assisted by ASI Mukesh Kumar has opposed the prayer, however, he does not dispute this fact that the investigation of the case is complete and the challan has been filed. It is also not disputed that the compromise has been effected between the parties.

After hearing learned counsel for the parties, this Court finds that the challan has been presented and as the offences are triable by the Magistrate, therefore, keeping in view the fact that the trial of the case is likely to consume considerable time, further custody of the petitioner is not necessary. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Panipat.

The petition is allowed.

13.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No