

S.No.208

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

CRM-M-15141 of 2020 (O&M)

Date of Decision:03.07.2020

Jitender @ Kala

.....Petitioner

Vs.

State of Haryana

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Manvinder Singh Dalal, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.28 dated 10.01.2019 registered under Sections 406, 420, 506, 120-B, 379-B, 384, 34 IPC at Police Station Civil Lines, Karnal.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the complainant, the allegations against the petitioner are that he accompanied other co-accused when they had gone to take money from the complainant. There is no allegation that the petitioner ever received any amount or ever induced the complainant to pay any money. Moreover, the complainant has already settled the dispute with the main accused and he has filed a petition for quashing of the FIR. In that petition, the complainant has not disputed the fact regarding the compromise. However, the complainant is now intending to blackmail the petitioner. The petitioner is in custody since January, 2019. The petitioner is not required for any investigation purposes.

Hence, the petitioner deserves to be released on bail.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State. Mr. Anurag Arora, Advocate appears for the complainant.

Learned State Counsel, on instructions from SI Sukhdev Singh, has submitted that the name of the petitioner has specifically surfaced in the case. However, it is not disputed that the petitioner is in custody since January, 2019 and that the petition has already been filed by the co-accused for quashing of the FIR on the basis of compromise.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

July 03, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No