

201-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.20702 of 2020 (O&M)

Date of decision: 28.08.2020

Bal Kishan

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rishi Pal Singh, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.81 dated 22.01.2017 registered under Sections 120-B/420/467/468/471/506 IPC at Police Station City Karnal, District Karnal.

Counsel for the petitioner has argued that as per the allegations in the FIR, the accused persons have cheated the complainant of Rs.3 lacs on the pretext of providing government job and for providing fake documents of FCI. It is further submitted that the complaint is made against 04 persons out of which one co-accused i.e. Shamsher Singh is on bail and the anticipatory bail of another co-accused namely Nishant Tomar, has been confirmed by this Court today itself and the petitioner is in custody since 14.03.2020. It is further submitted that the petitioner is no more required for further investigation and challan has been presented against the aforesaid 03 persons. It is also submitted that the offences are triable by the Court of Magistrate and it will take long time in conclusion of the trial.

Counsel for the petitioner has also submitted that as per the allegations in the FIR, the allegations pertains to the year 2016 whereas the FIR has been registered much after in the year 2017. It is also argued that the name of the petitioner has been surfaced in the

CASE HEARD THROUGH VIDEO CONFERENCING

disclosure statement of co-accused Chaman Lal, who has already been granted the concession of bail and the petitioner is not involved in any other case.

Counsel for the State, on instructions from SI Parveen Kumar, has not disputed the factual position and submits that challan qua 03 persons has already been presented and the petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the co-accused of the petitioner have already been granted the concession of bail; challan stands presented; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

28.08.2020

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No