

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
203 (PROCEEDINGS THROUGH V.C.)

CRM-M-38137-2020

Date of decision: 09.12.2020

ARJUN SINGH

...PETITIONER

V/S

STATE OF HARYANA

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Aayush Gupta, Advocate,
for the petitioner.

Ms. Shubhra Singh, Addl. A.G. Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this second petition under Section 439 Cr. P.C. is for grant of regular bail in case FIR No. 214 dated 05.07.2019 under Sections 420, 467, 468 and 471 of IPC (Section 201 of IPC added later on) Police Station Jind Sadar, District Jind.

It is the contention of the learned counsel for the petitioner that as per the allegations against the petitioner, petitioner had demanded and received an amount of ₹2,50,000/- from Balinder and Vikas for the purpose of appointment on permanent post, which is credited in his account. It is also asserted in the FIR that the petitioner had also given forged appointment letters to the complainants. Counsel contends that the petitioner was arrested on 11.10.2019 and is in custody since then and till date, even the charge has not been framed. He, therefore, contends that the trial is not likely to conclude in near future especially in the prevailing circumstances and, therefore, the petitioner may be granted the concession of bail.

On the other hand, learned counsel for the State, on instructions from SI Mohinder Singh, Police Station Jind, has brought to the notice of the Court that there was a similar FIR against the petitioner where he was declared a proclaimed offender although after the petitioners arrest in the present FIR and he having moved an application before the trial Court, is no more a proclaimed offender in the said case for now but the conduct of the petitioner does not entitle him to the concession of bail.

Having considered the submissions made by the learned counsel for the parties and keeping in view the allegations against the petitioner where he being in custody for more than 14 months and the trial not likely to conclude in near future especially in the prevailing circumstances when the physical hearing of the matters in the trial Court has not yet fully started, the continuation of the petitioner in custody would not serve any fruitful purpose.

In view of the above, the present application is allowed. Petitioner is directed to be released on regular bail on furnishing bail bonds to the satisfaction of the Trial Court/Duty Magistrate/Chief Judicial Magistrate, Jind.

Any observations made herein above shall have no bearing on the merits of the case.

December 09, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No