

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

**CRM-M No.3243 of 2021 (O&M)
Date of Decision.28.01.2021
(Heard through VC)**

Rahul ...Petitioner

Vs

State of Haryana ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Birinder Singh Khehar, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.222 dated 14.12.2019 registered under Sections 379, 120-B, 201 IPC at Police Station Radaur, District Yamuna Nagar.

Learned counsel for the petitioner would contend that initially FIR No.222 dated 14.12.2019 was registered under Sections 379, 120-B, 201 IPC against the petitioner and two others in which anticipatory bail had been allowed to him by the Additional Sessions Judge, Yamuna Nagar by an order dated 26.12.2019, however, vide order dated 08.12.2020, anticipatory bail granted to the petitioner has been cancelled on the ground that another FIR bearing No.147 dated 20.09.2020 under Sections 186, 332, 506, 369-B, 341, 34 IPC registered at Police Station, Sadhaura, Yamuna Nagar is pending against him.

Counsel for the petitioner would further contend that pendency of another FIR could not have been made a ground for cancellation of bail, while contending that the matter has now been investigated and the challan

stands presented. It is also argued that the petitioner has already been allowed regular by this High Court vide order dated 05.01.2021 passed in CRM-M No.38171 of 2020 titled as Rahul Vs. State of Haryana and therefore, prays for concession of regular bail.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that the petitioner herein is a habitual offender as two FIRs are pending against him on similar allegations, however, she is not able to dispute the fact that the matter has been investigated and the challan stands presented.

I have heard counsel for the parties and have perused the paper book.

In view of the fact that the investigation is complete and the challan stands presented and further the petitioner has already been allowed regular bail by this High Court in another FIR i.e. FIR No.147 dated 20.09.2020, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

January 28, 2021
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No