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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.5378 of 2021 (O&M)

Date of decision: 05.04.2021

Jagdish

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:** Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Kamal Mor, Advocate for the complainant.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.357 dated 23.12.2020 registered under Sections 384/406 IPC at Police Station Safidon, District Jind.

Counsel for the petitioner has argued that the matter, of which the present petition is an off-shoot, stands compromised between the parties and a petition i.e. CRM-M No.14641 of 2021, praying for quashing of the FIR on the basis of the compromise, has already been filed in which notice of motion has been issued for 17.05.2021. It is further submitted that the petitioner – Jagdish is an old man aged about 66 years and he is not involved in any other case and the allegations in the FIR are that the complainant is relative of ASI Baljit Singh and FIR No.112 dated 10.08.2019 registered under Sections 148/149/307/379-B IPC & 25/54/59 of the Arms Act, in which Virender, who is son of the petitioner was an accused.

During the investigation of the said case, the wife of the

**CASE HEARD THROUGH VIDEO CONFERENCING**

petitioner got an FIR registered against the police officials for demanding money and on that pretext, the petitioner has been falsely implicated in the present case.

Counsel for the petitioner has also submitted that challan stands presented and the petitioner is no more required for further investigation.

Counsel for the State, on the basis of the Custody Certificate filed in the Court today, has not disputed the factual position that the petitioner – Jagdish is in custody for the last about 02 months and 08 days.

Without commenting anything on merits of the case, considering the fact that the petitioner, who is an old man, is in custody for the last about 02 months and 08 days; 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**

**05.04.2021**

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No