

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-5449-2021

Date of Decision: 12.02.2021

Naresh Kumar @ Rajesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Ms. Jasneet Mehra, Advocate, for
Mr. L.M. Gulati, Advocate,
for the petitioner.**

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.329 dated 05.06.2015 under Sections 406, 420, 120-B IPC, registered at Police Station City Jagadhri, District Yamuna Nagar.

Learned counsel for the petitioner submits that the dispute between the parties is civil in nature, however, the complainant has given different colour to it by filing criminal case against the petitioner. Though there are 16 other cases of similar nature against the petitioner, but in 09 cases, he has been acquitted by the trial Court, whereas in 07 cases, his sentence has been reduced to the period already undergone by him. She refers to paragraph 23 of the present petition, giving details of such cases. She submits that noticing the fact that the petitioner is in custody since 31.07.2020 and the offence is triable by the Magistrate, the petitioner

deserves to be admitted on bail.

Learned State counsel does not dispute the custody period of the petitioner, however, she submits that the petitioner is in the habit of committing such like offences repeatedly. She further submits that the petitioner is an accused in another FIR No.151 dated 20.03.2020 under Sections 420, 406, 328, 506 and 120-B IPC, registered at Police Station Civil Lines Karnal and in that case, challan has been presented.

Heard learned counsel for the parties.

Noticing the fact that the petitioner is in custody since 31.07.2020 and the offence in the present FIR is triable by the Magistrate and the trial is not likely to be concluded in the near future, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that, in case, the petitioner is found indulged in any other case like the present one, the prosecution is at liberty to seek cancellation of his bail.

February 12, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No