

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-20035-2021

Date of decision: 25.05.2021

Santosh Singh Rajpurohit

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Santosh Singh Rajpurohit, stated to be aged 36 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.522 dated 03.12.2019, registered under Sections 420, 467, 468, 471 & 120B of Indian Penal Code, at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner, based on the pleadings in the petition, submits that a perusal of the FIR would show that there are no specific allegations in the FIR. He then refers to para 4 of the petition to make a specific submission that no money has ever been received by the petitioner and even as per the allegations, the complainant has deposited the money in the bank of Continental Cars Private Limited. He submits that

accused(s), who are allegedly connected with Continental Cars Private Limited, are already in custody.

On instructions from SI Davinder, learned State counsel submits that three other FIRs are pending against the petitioner. She further submits that challan in this case was presented on 31.03.2021 and there are total of 08 witnesses, out of which, none has been examined till date. She further submits that in case, he is released on bail, he is likely to again indulge in same/similar offence.

Faced with the situation, learned counsel for the petitioner submits that he has instructions from the petitioner that in order to show his bonafide, the petitioner is ready to offer local sureties and heavy surety bonds to the satisfaction of the trial Court. Counsel further submits that the petitioner would also give an undertaking that he will not involve himself in any other case (today onwards) and if, he is found involved and found guilty in any other subsequent case, the prosecution can apply for cancellation of bail.

Learned counsel for the petitioner also submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate

concerned, subject to his furnishing bail bonds/surety bonds.

In addition to the above said bail/surety bonds, in pursuance to the offer made by counsel for the petitioner, the petitioner would give local surety and also heavy surety bonds to the satisfaction of the trial Court, which shall remain as security till further orders of the trial Court. The petitioner is also directed to give an undertaking that the he would not involve himself in any other subsequent case and in case, he is found involved in any other subsequent case and found guilty, the prosecution is at liberty to file application for cancellation of bail. The above said offer shall be without prejudice to the defence of the petitioner before the trial Court.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

25.05.2021

anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No