

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27621-2021

Date of Decision: 28.07.2021

Heera Singh

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vikram Singh, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in case bearing FIR No. 206 dated 22.05.2021 under Sections 420/171/120-B of IPC, registered at Police Station Butana, District Karnal.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and the allegations were pertaining to alluring people for doubling their money and the petitioner has not been named in the FIR and in fact his name has been nominated only on the basis of a disclosure statement of the co-accused. He has further submitted that the petitioner is in custody since 30.05.2021 and the

investigation of the case is already complete and the challan has already been presented before the competent Court on 20.07.2021. He has further submitted that he was earlier involved in some other case under Sections 420, 406 and 120-B IPC but he has already been acquitted in that case.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that it is correct that the petitioner is in custody since 30.05.2021 and the investigation of the case is already complete and the challan has been presented on 20.07.2021. However, he has opposed the grant of bail on the ground that an amount of Rs. 3,25,000/- was recovered from the petitioner on the basis of disclosure statement.

I have heard the learned counsel for the parties.

So far as the custody of the petitioner is concerned, the same has not been disputed and the investigation of the case is already complete and the challan under Section 173 Cr.P.C. has already been presented before the learned trial Court. So far as the involvement of the petitioner in other case is concerned, the petitioner has already been acquitted in that case. So far as the recovery made from the petitioner as stated by the learned State counsel is concerned, the same is also a matter of evidence and trial and, therefore, cannot become a ground for denial of bail to the petitioner.

Therefore, without commenting on the merit of the case and considering the totality of circumstance, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

28.07.2021

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No