

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

CRM-M No.42954 of 2020 (O&M)
Date of Decision.16.02.2021

Om Prakash

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Mr. Gurbir Singh Dhillon, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

CRM No.4361 of 2021

Application is allowed as prayed for.

Annexures P-1 to P-6 are taken on record subject to all just exceptions.

CRM-M No.42954 of 2020

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.147 dated 05.06.2020 under Sections 406, 420 IPC and Section 24 of Immigration Act, 1983 (later on Section 370 IPC added) registered at Police Station Nissing, District Karnal.

Counsel for the petitioner *inter alia* would contend that the petitioner has wrongly been implicated in the said FIR. It is further submitted that the co-accused namely Surender has already returned the amount to the complainant. The petitioner is in custody since 18.06.2020.

The challan has already been presented and therefore, custodial

interrogation of the petitioner would no longer be required.

Learned counsel appearing for the respondent-State opposes the bail application of the petitioner by submitting that no ground for bail is made out.

I have heard learned counsel for the parties.

Keeping in view the fact that the co-accused namely Surrender has already returned money to the complainant and the challan has already been presented and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond of ₹1 lakh 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

February 16, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No