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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-380-2022

Date of decision: 22.02.2022

SURENDER KUMAR @ CHHINDA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. S.K. Bishnoi, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. FIR No.420 of 01.09.2021, constitutes therein offences under Section 25 of Arms Act 1959, and under Sections 342, 394 read with Section 34 of IPC 1860 (Sections 397, and, 201 of IPC added lateron), and, is lodged at Police Station City Fatehabad, District Fatehabad, therein the incriminating offences are attributed to be committed by the bail applicant.
2. In pursuance to the afore lodged FIR at the Police Station (supra), the bail applicant is in judicial custody since 09.09.2021. Consequently, through the instant application cast under Section 439 of the Cr.P.C., he claims the relief, for being ordered to be released from judicial custody.
3. Learned State counsel fairly submits on instructions meted to

him by ASI Surenderpal, that the bail applicant is suffering incarceration for about 5 months, and, also submits that the investigation into the offences (supra), is complete, and, that the challan has been filed before the learned trial Magistrate concerned. Furthermore, since he also submits that all the relevant recoveries i.e. 1000 Euro, 100 Dollars, and, Rs. 10,000/- INR, besides burnt DVR of CCTV became effected at the instance of the bail applicant, to the investigating officer concerned. Therefore, this Court does not deem it fit and appropriate to prolong the judicial incarceration of the bail applicant.

4. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to his furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance unless validly exempted.

5. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

22.02.2022
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Whether speaking/reasoned:-	Yes/No
<i>Whether reportable:</i>	<i>Yes/No</i>