

222 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4817-2022

Decided on: 11th February, 2022

Dayanand

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Karan Singh, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 48, dated 17.02.2021, under Sections 120-B/193/205/209/419/468/471 of IPC, 1860, registered at Police Station City, Bahadurgarh, District Jhajjar.
3. The complaint was given by the prosecution that in FIR No. 527, dated 31.08.2018, under Section 17 NDPS Act, 1985, PS City Bahadurgarh. Dayanand(petitioner) stood surety for the accused Jagbir son of Jai Lal whereas during the verification, it was found that his name was Sunil son of Ishwar. The fact revealed when Jagbir gained knowledge that surety was given for him in an FIR.
4. Learned counsel for the petitioner submits that petitioner is in custody since 17.10.2021, no recovery is to be made from him. He submits that rather the petitioner was cheated by the accused. To show his bonafide

petitioner offers to give a cash security of Rs.50,000/-.

5. Learned State counsel opposes the prayer for grant of bail, she submits that as per the allegations the identity of the accused was changed.

6. Considering the facts and circumstances in totality, the custody period, the fact that conclusion of the trial is likely to take time and the offer made by the petitioner appears to be reasonable, petitioner is granted bail subject to his depositing a cash security to the tune of Rs. 50,000/- with the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

11th February, 2022

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No