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

CRM-M-9984-2022

Date of decision:14.03.2022

SAKEER

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Kawalpreet Singh Virk, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Jastej Singh Kang, Advocate
for complainant.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. FIR No.61 of 02.04.2021, constitutes therein offences under Section 379/420 of IPC, and, is lodged at Police Station Pilukhera, District Jind, 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 petitioner is in judicial custody since 11.12.2021. Consequently, through the instant application cast under Section 439 of the Cr.P.C., he claims the relief, for his being ordered to be released from judicial custody.

3. Learned State counsel fairly submits, on instructions meted to him by ASI Jagdeep Singh, that the bail petitioner is suffering incarceration

for about 4 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. He further submits, that the recovery at the instance of the bail petitioner to the investigating officer, of the allegedly duped sum of Rs. 7,000/- also has been effected. He also submits, that the judicial custody of the bail petitioner, has commenced from 11.12.2021, and, is continuing till now. Bearing in mind the afore, and, also bearing in mind the factum of a compromise, unfolded in Annexure P-1, rather occurring *inter-se* the bail petitioner, and, the respondent concerned. Therefore, this Court is constrained to not further prolong the judicial incarceration of the bail applicant, as thereupon his personal liberty shall come to be unnecessarily fettered.

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.

5. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

14.03.2022

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Whether speaking/reasoned:-
Whether reportable:

Yes/No
Yes/No