

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

CRM-M-15937-2022  
Date of decision:25.04.2022

**JUNED**

...Petitioner

Versus

**STATE OF HARYANA**

...Respondent

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. Nipun Vashist, Advocate  
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

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**SURESHWAR THAKUR, J. (ORAL)**

1. The instant petition has been filed under Section 439 of Cr.P.C., wherein the present bail petitioner seeks indulgence of regular bail.

2. FIR No.0005 of 03.01.2022, constitutes therein offences under Sections 379-B, and, 34 of IPC, and, is lodged at Police Station Palla, District Faridabad, therein the incriminating offences are attributed to be committed by the bail petitioner.

3. In pursuance to the afore lodged FIR at the Police Station (supra), the bail petitioner is in judicial custody since 12.01.2022. Consequently, through the instant application cast under Section 439 of the Cr.P.C., he claims the relief, for being released from judicial custody.

4. Learned State counsel fairly submits before this Court, that the bail petitioner is suffering incarceration for more than 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, but the charges are yet to be framed. Furthermore, since he also submits that all the relevant recoveries have been effected, at the instance of the bail petitioner, to the investigating officer concerned. Therefore, and, moreso when at this stage, no evidence has been adduced by the prosecution, suggestive that in the event of the bail petitioner being admitted to regular bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence. Consequently, this Court does not deem it fit and appropriate to prolong the judicial incarceration of the bail applicant.

5. In aftermath, it is not necessary to prolong the judicial incarceration of the bail applicant. 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, also his not influencing prosecution witnesses, and, besides his appearing before the trial Court concerned, as and when directed to make his personal appearance unless validly exempted.

6. Copy dasti.

(SURESHWAR THAKUR)  
JUDGE

25.04.2022

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**Whether speaking/reasoned:-**  
***Whether reportable:***

**Yes/No**  
***Yes/No***