

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

**CRM-M-20490-2022
Date of Decision : 25.08.2022**

Sohan Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J(ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.308 dated 06.12.2021, under Section 387 IPC (lateron the Investigation Agency submitted its final report under Section 173 Cr.P.C. Under Sections 201, 379-A, 387, 411, 506, 34 IPC and Section 25 of the Arms Act), registered at Police Station City Pehowa, District Kurukshera.

It has been submitted by learned counsel for the petitioner that the petitioner in custody from 30.12.2021; the investigation has already been completed and the report under Sectionc173 Cr.P.C. has been presented before the competent Court. He further submitted that as per the allegations, the petitioner had threatened the complainant on phone and had demanded an amount of Rs.25,00,000/- as ransom. Learned counsel submitted that infact the petitioner has been falsely implicated in the present case and in a similar fashion in another case also he was falsely implicated by making similar allegations and he is on bail in that case. He further submitted that the complainant when deposed before the trial Court at the time of trial, he did not support the prosecution version and learned counsel has referred to statement of complainant Amit Kumar (Annexure P-1) in this regard.

On the other hand, learned State counsel has stated that although it is correct that the petitioner is in custody from 30.12.2021 and the material witness i.e. the complainant has already been examined and he did not support the prosecution version but it is a case where there are call recordings which show that the petitioner had threatened the complainant on telephone.

I have heard the learned counsel for the parties.

The petitioner is in custody for about 08 months and the material witness who is the complainant to whom allegedly the petitioner had made phone calls for threatening has already been examined before the trial Court and he has not supported the prosecution version. In the other case in which the petitioner is involved, he is already on bail as per learned counsel for the petitioner.

Since the material witnesses have already been examined and as per learned counsel for the parties, no money has either been given or transferred to anybody, this Court is of the view that no useful purpose would be served in case the petitioner be kept in custody any further since the trial of the case may take long time.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Trial Court/Duty Magistrate.

However, anything observed herein above shall have no effect on the merits of the case and is meant for deciding the present petition only.

25.08.2022
mamta

(JASGURPREET SINGH PURI)
JUDGE