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

**CRM-M-21424-2022
Date of Decision: 23.05.2022**

Ashwani Sharma Lohar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Manoj Tanwar, Advocate,
for the petitioner.

Mr. Naveen S. Panwar, D.A.G., Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

This is the second petition filed under Section 439 of the Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.200 dated 28.08.2020, under Sections 420, 506, 409, 467, 468 & 471 of the IPC, registered at Police Station Sadar Narwana, District Jind.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 27.08.2021 which is almost 9 months and the investigation of the case has already been completed and thereafter, challan under Section 173 of the Cr.P.C. has also been presented before the competent Court. He further submitted that after the framing of the charges, all the material witnesses have been examined. He also submitted that the petitioner is not involved in any other case and in fact the other co-accused,

namely, Suresh alias Golu and Radhe Mohan Sharma have been granted bail by this Court vide Annexures P-2 & P-3. He further submitted that so far as the present case is concerned, the petitioner was neither beneficiary nor any amount was received in his account and has been falsely implicated in the present case, therefore, he may be considered for the grant of regular bail

On the other hand, Mr. Naveen S. Panwar, learned Deputy Advocate General, Haryana, has submitted that it is correct that the petitioner is in custody since 27.08.2021 and he is not involved in any other case. He further submitted that it is also correct that all the material witnesses have been examined in the present case and the other two co-accused have been granted bail by this Court.

I have heard the learned counsel for the parties.

In the present case, the petitioner is in custody since 27.08.2021 and he is not involved in any other case. The other two co-accused have been granted bail by this Court and as per the learned counsel for the parties, no amount was received in the name of the petitioner. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may abscond or flee from justice or may influence the witness or may tamper with the evidence. Therefore, in view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

23.05.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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