

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 22658 of 2022

Date of Decision: 27.5.2022

Munish Kumar @ Mani

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Prateek Gupta, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C., seeking the indulgence of regular bail, to the petitioner.
2. In FIR bearing No. 54 of 2.2.2022, registered at Police Station Sadar Fatehabad, District Fatehabad, offences constituted under Sections 198, 420, 467, 468, 471, 474, 120-B IPC, and, under Section 12(1)(b) of the Passport Act, 1967, are embodied.
3. This Court, through an order made on 4.5.2022, upon CRM-M No. 13240 of 2022, CRM-M No. 13656 of 2022, and, CRM-M-13732-2022, to which Annexure P-4 is assigned, had admitted the petitioners therein, to regular bail. Moreover, it had also through Annexure P-3, granted pre-arrest bail to the petitioners in CRM-M No. 7089 of 2022, CRM-M No. 7842 of 2022, and, CRM-M-9196 of 2022.
4. Today, the learned State counsel, has not been able to bring-forth any material on record, suggestive of the fact, that the incriminatory role of the present petitioner, in the petition FIR, is more serious or more

graver than the one as became attributed to the petitioners in the above petitions. Consequently, the present petitioner has to be treated at par with the bail petitioners in the above petitions, who through Annexures P-3, and, P-4, became respectively admitted to pre arrest bail, and, to regular bail.

5. Be that as it may, also given when no evidence is adduced before this Court by the prosecution, suggestive of the fact, that in the event of the petitioner, becoming admitted to regular bail, there is every likelihood of his fleeing from justice, and, tampering with the prosecution evidence, thereupon, this Court does not deem it fit, and, appropriate to prolong the judicial incarceration of the present bail petitioner, as, thereupon his personal liberty would become unnecessarily fettered, and, curtailed.

6. 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 Rs. 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.

7. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

May 27, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No