

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23612-2022

Date of Decision: 6.9.2022

Sahid

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vishal Garg Narwana, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0016 dated 11.1.2022 registered for the offences punishable under Sections 406, 420 IPC at Police Station Rohtak Sadar, District Rohtak.

Counsel for the petitioner submits that the petitioner is in custody since 12.4.2022 and the police has already presented the challan but it will take time for the trial to conclude. He further submits that the petitioner has been falsely implicated in this case as the amount in question was deposited in the bank account of one Atula and was never withdrawn from the said bank account by the petitioner. He further submits that as per status report dated 5.7.2022 filed on behalf of the State, said Atula was found to be innocent. He further submits that only amount of ₹ 4000/- was recovered from the possession of the petitioner and he made prayer that in these circumstances, the petitioner is entitled to the grant of regular bail.

Present petition is resisted by the State counsel. She on instructions from SI Surender has admitted the fact that the petitioner is in custody for the last more than 4 months and that after completion of investigation, challan has been presented and that the amount in question was deposited in the bank account of Atula which was operated by one Tahir.

I have considered the submissions made by the counsel for the parties.

The petitioner was not named in the FIR and was arrested on 12.4.2022 and is presently lodged in judicial custody. Admittedly, after conclusion of the investigation, the police has presented challan qua the petitioner and all the offences are triable by the Court of Judicial Magistrate, 1st Class. It will take considerable time for the trial to conclude. No purpose is going to be served by prolonging the judicial incarceration of the petitioner.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

September 6, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No