

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

218+ 273

CRM-M-25055 of 2022

Date of Decision: 06.09.2022

Roshan

....Petitioner

Versus

State of Haryana

.....Respondent

2)

CRM-M-25575 of 2022

Sandeep Kumar @ Rupu

....Petitioner

Versus

State of Haryana

.....Respondent

3)

CRM-M-24052 of 2022

Dheeraj Kumar @ Pintu and another

....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Babbbar Bhan, Advocate,
for the petitioners in CRM-M Nos. 25055 and 25575 of 2022.

Mr. Vishal Aggarwal, Advocate,
for the petitioner No. 1 in CRM-M-24052 of 2022.

Mr. Naveen Singh Panwar, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

All the three cases are taken up together for final disposal with the consent of learned counsel for the parties since the same are arising out of the same FIR.

The learned counsels for the petitioners has submitted that the petitioner Roshan (in CRM-M-25055 of 2022) is in custody from 26.12.2021, petitioner Sandeep (in CRM-M-25575 of 2022) is in cusotdy from 22.02.2022 and so far as the petitioner Dheeraj Kumar @ Pintu (in CRM-M-24052 of 2022) is concerned, he has also suffered incarceration for about five months. The leanred counsel appearing on behalf of the petitioner Dheeraj Kumar @ Pintu has submitted that he was granted interim bail by this Court but thereafter he has already surrendered well in time. He has further submitted that the petition CRM-M-24052 of 2022 was filed on behalf of two petitioners namely Dheeraj Kumar @ Pintu and Santu Kumar and has stated that he would like to press the present petition only on behalf of Dheeraj Kumar @ Pintu since he has no authorisation to file bail application on behalf of the petitioner No.2 and has prayed that the petition may be dismissed as withdrawn qua the petitioner No.2 only.

In view of the specific statement made by learned counsel for the petitioner (in CRM-M-24052 of 2022), the petition qua petitioner No.2 namely Santu Kumar is dismissed as withdrawn.

Learned counsels appearing in all these three petitions submitted that the allegations in the present case were with regard to the allurement on the basis of which the complainant had given some money for getting job in Jio Company and even as per the FIR itself two names have been mentioned alongwith their mobile numbers and these petitioners are neither named in the FIR nor their mobile

numbers have been mentioned and the names of one Amit and Nitin were mentioned. He submitted that none of the three petitioners are beneficiaries of any money and they have been falsely implicated and all of them are not involved in any other case and all of them have clean antecedents. They have further submitted that even otherwise also the investigation has been completed and thereafter a report under Section 173 of the Code of Criminal Procedure has already been presented to the competent Court, although the charges have not been framed as yet and no recovery is to be effected from the petitioners. They further submitted that the trial of the case may take long time and therefore, they may be considered for grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned DAG, Haryana has stated that so far as the custody of the petitioners is concerned, the same is correct and it is also correct that the petitioner Dheeraj Kumar @ Pintu has already surrendered back after the expiry of the period of interim bail granted to him. He has also submitted that the investigation of the case has been completed and the challan has been presented before the competent Court and that all the petitioners are not involved in any other case.

I have heard the learned counsel for the parties.

The investigation in the present case has been completed. As per learned counsel for the parties, all the petitioners are not involved in any other case. It is yet to be ascertained at the time of trial as to whether the petitioners were the beneficiaries of the transaction or not but as per the FIR, names of two persons namely Amit and Nitin and their mobile numbers were mentioned in the advertisement on the basis of which allegedly the complainant acted upon and gave some money. Furthermore, it is not the case of the State that in case the petitioners

are released on bail, then they may abscond from justice or influence any witness and or tamper with any evidence.

In view of the aforesaid position, all the three petitions are allowed. The petitioners shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

It is made clear that so far as the petition CRM-M-24052 of 2022 is concerned, the same is allowed only qua petitioner No.1 (Dheeraj Kumar @ Pintu).

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 these three petitions.

(JASGURPREET SINGH PURI)
JUDGE

September 06, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No