

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

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**CRM-M-25264-2022
Decided on : 29.09.2022**

Karnail Singh

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ashik Ali, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

SANJAY VASHISTH, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner – Karnail Singh, who has been booked for having committed the offence punishable under Sections 420, 120-B IPC (Sections 467, 468 and 471 IPC were added later on), in FIR No. 157, dated 02.02.2022, registered at Police Station Shahabad, Kurukshetra, District Kurukshetra.

Learned counsel for the petitioner submits that petitioner along with other five accused had received Rs. 13,65,000/- lacs from the complainant, on account of providing job to the family members of the complainant. Learned counsel for the petitioner further submits that on completion of investigation, challan has already been presented and no other case of any nature has ever been registered or pending against him. Thus, he prays for regular bail to the petitioner.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that petitioner is the member of the gang who are duping the innocent people of

the society, therefore, he does not deserve any concession of bail. However, State counsel is not disputing the fact that after completion of investigation, challan has been filed.

Considering the submissions of both the sides and perusing the material available on record with their able assistance, I am of the view that after completion of the investigation, challan has been filed and otherwise also the case in hand is triable by the Court of learned Magistrate, thus, no purpose would be served by keeping the petitioner inside jail, especially when trial is likely to take some time in its decision. Accordingly, I am of the considered view that petitioner deserves the concession of bail.

In view of the aforementioned facts and circumstances of the case and the submissions made by the parties, the present petition is allowed. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

Observations made here-in-above shall not be construed as an expression on merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

(SANJAY VASHISTH)
JUDGE

September 29, 2022

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*