

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

210

CRM-M-26530-2022

Date of decision: 12.07.2022

GOVIND SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present : Mr. Paramjit Singh Jammu, Advocate
for the petitioners.

Mr. Gaurav Bansal, AAG, Haryana
for the respondent-State.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 439 of Cr.P.C., wherein, the petitioners crave for indulgence of regular bail becoming granted to them, in respect of FIR No. 320 dated 15.12.2021 registered at Police Station Kallanwali, District Sirsa, wherein, offences constituted under Sections 379A and 201 of the IPC, are embodied.

2. If so, and, also, when it is stated, at the bar, by the learned State Counsel that the investigations, into the petition FIR are complete, and, a report under Section 173 Cr.P.C. has been instituted by the investigating officer before the learned Court concerned, besides, when it is also submitted by the learned State Counsel, that all the relevant recoveries have been effected, at the instance of the present bail petitioners, to the investigating officer concerned.

3. Moreover, since at this stage, no evidence has been

adduced by the prosecution, suggestive that in the event of the bail petitioners being admitted to regular bail, there is every likelihood of theirs fleeing from justice or tampering with prosecution evidence, or influencing prosecution witnesses, besides when the present bail petitioners stepped into the judicial custody, in December, 2021, therefore, their judicial incarceration is not required to be any further prolonged, as thereupon, their personal liberty would become unnecessarily fettered, and, curtailed.

4. Therefore, the instant petition is allowed, and, the petitioners bail applicants are ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioners, is subject to their furnishing personal, and, surety bonds in the sum of Rs.1,00,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to theirs not tampering with prosecution evidence, and, also theirs not influencing prosecution witnesses, and, besides theirs appearing before the trial Court concerned, as and when directed to make their personal appearance unless validly exempted.

5. It is clarified that the above made observations are strictly made only for the disposal of the present bail petition, and, shall not influence in any manner, the learned trial Judge concerned as and when he/she deals with the trial of the FIR (Supra).

12.07.2022
kavneet singh

(SURESHWAR THAKUR)
JUDGE

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