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

CRM-M-28763-2022

Date of Decision: 28.07.2022

Kiran Pal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Chetan Kapoor, Advocate,
for the petitioner.

Mr. Naveen S. Panwar, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.888 dated 11.11.2021, under Sections 379-A, 420 & 506 of the IPC (Sections 201, 120-B & 34 of the IPC added later on), registered at Police Station City Karnal.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 15.02.2022 and the investigation of the case has already been completed and challan has also been presented before the competent Court. He further submitted that it is a case where the allegations are totally false and improbable on the face of it. He also submitted that the allegations in the present case were that one co-accused, namely, Darshan Singh had gone to the shop of the complainant which was

a shop of wholesale cloth and he had offered to sell his gold @ 10% discount, which was later on enhanced to 20% discount. He further submitted that such story is itself improbable as nobody would like to sell his gold @ 20% to a wholesale cloth seller when he can easily sell it to a Jeweller. He also submitted that the incident had allegedly taken place at Saha-Panchkula Road and after a period of 20 days, the FIR has been lodged at Karnal, is also totally improbable and therefore, the petitioner has been falsely implicated in the present case. So far as the alleged role of the present petitioner is concerned, he participated in snatching the money amounting to Rs.85 lacs from the complainant. He further submitted that the investigation of the case has already been completed and challan has also been presented and therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Naveen S. Panwar, learned DAG, Haryana has stated that it is correct that the petitioner is in custody since 15.02.2022.

I have heard the learned counsel for the parties.

The petitioner is in custody since 15.02.2022 and the investigation of the case has already been completed and challan has also been presented. No recovery is to be effected from the petitioner. Apart from the same, there is no apprehension expressed by the learned State Counsel that in case the petitioner is released on bail then he may abscond or flee from justice or may influence any witness, therefore, in view of the facts and circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

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 present petition.

28.07.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |