

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

SR. No.227

CRM-M-32567-2022

Date of Decision:02.08.2022

Hira Lal

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Arihant Jain, Advocate,
for the petitioner.

Mr. N.S. Panwar, DAG, Haryana.

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 FIR No.255 dated 10.05.2022 under Sections 120-B/342/385/506 of the Indian Penal Code (Sections 365/323 IPC added later on) registered at Police Station Saran, District Faridabad.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 31.05.2022 and after completion of the investigation by the police, challan has been presented before the learned trial court on 08.07.2022. He further submitted that as per the allegations, a girl had called the complainant's son namely Kamal Saluja by making a phone call on 09.05.2022 at 03.00 PM and in connivance with that girl, somebody had allegedly abducted his son and a demand for ransom was made. However, neither any money exchanged hands nor any injury has been caused to anybody in the present case. He further submitted that the name of the petitioner was nominated on the basis of disclosure statement.

He further submitted that although the petitioner was shown to be at the place of alleged occurrence in the CCTV footage but there was no exchange of any money with anybody. He submitted that no recovery is to be effected from the petitioner. He further submitted that investigation of the case has been completed and trial of the case may take long time. He also submitted that the petitioner is not involved in any other case and has got clean antecedents.

On the other hand, Mr. N.S. Panwar, learned Deputy Advocate General, Haryana, has stated that it is correct that the petitioner is in custody as aforesaid. He further submitted that investigation of the case has already been completed and challan has been presented in the trial Court. He further submitted that no recovery is to be effected from the petitioner. He further submitted that petitioner is not involved in any other case and there was no exchange of money in the present case and it was only on the basis of a phone call received on the phone of the son of the complainant that the present FIR has been lodged.

Mr. Munesh Parmar, Advocate, has appeared on behalf of the complainant and filed his Vakalatnama, which is taken on record.

I have heard the learned counsel for the parties.

As per the learned counsel for the parties, the petitioner is in custody since 31.05.2022 and investigation of the case has been completed. The petitioner is not involved in any other case. As per learned counsel for parties, it is a case where no injury has been inflicted to anybody nor any money has been exchanged. The present FIR was registered only on the basis of a phone call received on the phone of the son of the complainant.

Apart from this, it is not the case of the State that in case the petitioner is released on bail, then he may abscond or may influence any witness. Therefore, considering the aforesaid facts and circumstances, the petitioner is entitled for grant of regular bail.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

02.08.2022
mks

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO