

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

205

CRM-M-37410-2021

Date of Decision : February 14, 2022

ARJUN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, 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 case FIR No.791 dated 20.10.2020 under Section 379-B IPC, Police Station City, Panipat.

The learned counsel for the petitioner has submitted that in the present case, the petitioner has been falsely implicated and after the registration of the present case, he was sought to be arrested in two other cases as well and has been falsely implicated. He submitted that be that as it may the petitioner is in custody from 24.12.2020 which is more than one year and even charges have not been framed till date. He further submitted that as per the allegations the recovery from the petitioner was of mobile phone and the same has been planted upon the petitioner. He has referred to Annexure P-2 which the order passed by the co-ordinate

Bench of this Court in CRM-M-18271-2021 dated 20.5.2021 whereby the other co-accused, namely, Gaganprit who is at parity with the present petitioner has been granted bail by this Court and the allegations against him was that he was also accompanying the present petitioner and Rs.500/- was also recovered from him.

On the other hand, Mr. Arya, learned Addl. A.G., Haryana has submitted that there was a recovery of mobile phone from the petitioner and, therefore, he does not deserve the concession of regular bail.

I have heard the learned counsels for the parties.

The investigation of the case is already complete and admittedly the petitioner is in custody for more than one year i.e. 24.12.2020 and now no recovery is to be effected from the petitioner. The other co-accused has been granted bail by the co-ordinate Bench of this Court.

So far as the pendency of other cases against the petitioner is concerned, learned counsel for the petitioner has submitted that although those FIRs have been registered prior to the registration of the present FIR but the petitioner was sought to be arrested after the registration of the present FIR and the petitioner has been falsely implicated in the present case as well as in the other cases. This Court without going into the merits of the case deems it fit and proper to grant bail to the petitioner on the basis of long custody of the petitioner and also on the ground that the other co-accused who was arrested alongwith the petitioner, has since been granted bail by this Court.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

February 14, 2022
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No