

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

CRM-M No.36818 of 2022 (O&M)

Date of decision : 12.12.2022

Satbir

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Ajit Singh, Advocate for
Mr. Arun Chander Sharma, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.340 dated 11.05.2021 registered under Section 379-A IPC (Section 34/201 IPC added later on) at Police Station Old Industrial Panipat, District Panipat.

Custody certificate dated 11.12.2022 by way of affidavit of Geeta Rani, Deputy Superintendent, District Prison (Panipat), Haryana on behalf of State has been filed. The same is taken on record.

Learned counsel for the petitioner submits that the petitioner is in custody since 26.11.2021 and has already suffered incarceration for 1 year and 16 days. Investigation stands concluded and thus there cannot be any apprehension that the petitioner shall tamper with the evidence. He thus prays that in these circumstances the petitioner would be entitled for regular bail.

Per contra learned State counsel states that as per the custody certificate, the petitioner is facing 3 more cases involving similar allegations apart from FIR No.545/2017 wherein the petitioner has earned acquittal. He thus submits that the petitioner is a habitual offender and thus he should not be granted any indulgence.

Faced with this situation, learned counsel for the petitioner submits that in all the 3 cases pending against the petitioner, he has been granted regular bail. In FIR No.466 dated 18.10.2021, the petitioner stands admitted to regular bail vide order dated 23.02.2022, in FIR No.162 dated 26.05.2021, the petitioner stands admitted to regular bail vide order dated 13.05.2022. Likewise in FIR No.706 dated 10.10.2021 also, he has been granted bail vide order dated 29.10.2021.

In view of the aforesaid facts and circumstances, without commenting on the merits of the case and keeping in view the fact that the investigation already stands concluded and the challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

12.12.2022

Pooja sharma-I

Whether speaking/reasoned

Yes

Whether Reportable :

No