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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38558-2022 (O&M)

Date of Decision: 01.09.2022

Randeep Singh @ Sethi

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gurmohan Singh Bedi, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 269 dated 11.07.2022, under Sections 120-B, 323, 342, 365, 506 read with Section 34 IPC, registered at Police Station Parao Ambala Cantt, District Ambala.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 11.07.2022 and although the investigation of the case is yet to be completed but the petitioner deserves the concession of regular bail on the ground that it is a case which has arisen as a measure to counter and utilise the agreement to sell which was entered into between the complainant and the father of the petitioner namely Jaswinder Singh and regarding which now a civil suit for specific performance has already been filed. He further submitted that false allegations have been levelled against the

petitioner and his father that they had kidnapped the brother of the complainant namely Rai Singh and got his signatures forcibly on some papers. He further submitted that there was a civil dispute between the parties and in order to create a defence, the present story was concocted with the connivance of the police. He further submitted that the other co-accused have been granted bail in this case except for Jaswinder Singh. He further submitted that although the petitioner is involved in 5 more cases but out of the same he has already been acquitted in one case under Section 306 IPC and in the other cases he is on bail. He further submitted that mere pendency of the other FIRs against the petitioner cannot become a ground for denial of bail, if otherwise the petitioner is entitled for bail on merits.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that it is correct that the petitioner is in custody from 11.07.2022. He has however opposed the grant of bail on the ground that the petitioner is involved in 4 more cases and also the petitioner alongwith the persons had kidnapped the brother of the complainant and got some signatures on paper.

I have heard the learned counsel for the parties.

The petitioner is in custody from 11.07.2022. Although the investigation of the case is in progress but as per the allegations the petitioner alongwith some other persons had kidnapped the brother of the complainant namely Rai Singh and got some signatures on an agreement. Learned counsel for the petitioner during the course of arguments has also submitted that in fact the aforesaid agreement was prior to the alleged date of incident and suit for specific performance has already been filed.

Therefore, this Court is of the view that the mere pendency of the

other FIRs against the petitioner would not become a ground for denial of bail to the petitioner. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may abscond from justice.

Therefore, considering the aforesaid facts and circumstances, this Court is of the view that the petitioner is entitled for the 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.

01.09.2022

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No