

(206) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40358-2022

Date of Decision: 09.09.2022

Ravi

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Chanderhans Yadav, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.107 dated 22.03.2022 (Annexure P-1) registered under Sections 489-A, 489-B, 489-C IPC, 1860 with Police Station Urban Estate Hisar, District Hisar.

2. The present FIR came to be registered on the basis of secret information that one young boy would be coming in a vehicle for exchanging counter-feit currency and if a barricading was done, he could be arrested. Based on the information a raiding party was constituted. After some time, the vehicle in question was seen coming from Dabra Chowk side being driven by a young boy. The said vehicle has intercepted and on being asked the driver of the car disclosed his name to be Mukesh son of Banwari. On the search of the car counter-feit currency was recovered totalling Rs.5,14,400/-.

3. The learned counsel for the petitioner contends that the petitioner is not named in the FIR but has been named in the disclosure statement of Mukesh. The recovery of a printer and a laptop has been effected from the said Mukesh. In fact nothing has been recovered from the petitioner. He contends that the statement of an accused against the co-accused would have little evidentiary value and therefore, since he is in custody since 22.03.2022 and none of the 12 prosecution witnesses have been examined so far, therefore, he deserves the concession of regular bail.

4. On the other hand, the learned State counsel contends that the petitioner is one of the accused involved in the occurrence. He has involved in another case of similar nature, though he has been granted bail in that case vide order dated 21.09.2021 passed in CRM-M-29912-2021 (Annexure P-4). He however, contends that the seriousness of the allegations against the petitioner does not entitle him to the grant of bail, though he does not dispute the period of custody undergone by the petitioner as also the stage of trial.

5. I have heard the learned counsel for both the parties at length.

6. Admittedly, the petitioner has been in custody since 22.03.2022 and none of the 12 prosecution witnesses have been examined so far. Therefore, the trial of the present case is not likely to be concluded in the near future. In the other FIR registered against the petitioner, he has been granted the concession of bail, which is borne out from the order dated 21.09.2021 passed in CRM-M-29912-2021 (Annexure P-4). The co-accused of the petitioner has also been granted the concession of bail by the learned Additional Sessions Judge, Hisar vide order dated 05.07.2022 (Annexure P-6). Therefore, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Ravi son of Shri Ranbir is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other crime other than the cases mentioned in this order.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

09.09.2022

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No