

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40683-2022 (O&M)

Date of Decision: 31.10.2022

Suresh

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rajesh Goyal, 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. 1010 dated 26.10.2017, under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC, registered at Police Station Chandani Bagh, Panipat, Haryana.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 25.03.2021 and the petitioner is not a habitual offender and in fact three more co-accused who are the main accused in the present case namely, Sanjay, Devi Chand and Om Parkash have been extended the benefit of regular bail. He further submitted that investigation of the case has already been completed and thereafter, the challan has been presented before the competent Court. He further submitted that the present case is triable by Magistrate and the trial of the case may take long time and, therefore, he may be considered for the grant of regular bail.

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 25.03.2021 and he is not a habitual offender and is not involved in any other case. He has however submitted that the other three co-accused have been granted bail but so far as the present petitioner is concerned, the role attributable to him was that he had impersonated Murti and signed as witness as well.

I have heard the learned counsel for the parties.

The petitioner is in custody from 25.03.2021 and the investigation of the case has been completed and thereafter the challan has been presented before the competent Court and the case is triable by Magistrate and the petitioner is not a habitual offender. As per the learned counsel for the parties, the other three co-accused have been extended the benefit of regular bail. 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 tamper with evidence or may flee from justice.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

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.

31.10.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)**JUDGE**

: Yes/No
: Yes/No