

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

223

CRM-M-42619 of 2022

Date of Decision:21.09.2022

Monu

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Varuna Singh, 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.308 dated 06.12.2021, under Sections 387, 379-A, 411, 201, 506, 34 IPC and Section 25 of the Arms Act, registered at Police Station City Pehowa, District Kurukshetra.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 30.12.2021 and in the present case the investigation has already been completed and report under Section 173 of the Code of Criminal Procedure has been presented to the competent Court. She submitted that as per the allegations, the complainant received a threatening phone call and wherein a demand of Rs. 25,00,000/- was made as ransom but in fact it was only a case of threatening on phone call but neither any money has been exchanged nor paid to anybody and it was only a case of false implication of the present petitioner. She further submitted that the similarly situated co-accused namely Sohan Lal who is at

parity with the present petitioner has already been granted bail by this Court vide Annexure P-5 in CRM-M-20490 of 2022 and has also prayed for grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned DAG, Haryana has stated that it is correct that the petitioner is in custody from 30.12.2021 and the similarly situated co-accused namely Sohan Lal has already been granted bail by this Court. He submitted that only difference with regard to the parity was that the other co-accused was involved only in one other case and the present petitioner is involved in two more cases.

I have heard the learned counsel for the parties.

The petitioner is in custody from 30.12.2021 and the other similarly situated co-accused namely Sohan Lal has been granted bail by this Court vide Annexure P-5. The fact that the other co-accused namely Sohan was involved in one case and the present petitioner is involved in two more cases would not mean that the petitioner is not at parity with the other co-accused. Even otherwise also as per the allegation, there was only a demand of Rs.25,00,000/- on telephone which was a threatening call, but no money has been exchanged nor it has been given to anybody as per the learned counsel for the parties. Both the learned counsel for the parties have stated during the course of arguments that three witnesses have already been examined in the present case, including the complainant namely Amit Kumar and he has also not supported the prosecution version.

Therefore, this Court deems it fit and proper to grant bail to the petitioner. 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 expresion of opinion on merits of the case and is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

September 21, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No