

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

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CRM-M-43593-2022 (O&M)

Date of Decision: 09.12.2022

JAHID @ SUKHA

...Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

CRM-42744-2022

Learned counsel for the petitioner does not press this application.

Dismissed as not pressed.

CRM-M-43593-2022

Through this petition, the petitioner seeks regular bail in case bearing FIR No.245 dated 29.03.2022, registered under Section 420 IPC and Sections 406, 467, 468, 471 and 120-B IPC, at Police Station Krishna Gate, Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the petitioner was arrested in FIR No.159 dated 28.03.2022, registered under Sections 406, 419, 420, 467, 468, 471 and 120-B IPC on 31.03.2022; that during the petitioner's custodial interrogation in FIR No.159, he made a confessional

statement that he is involved in the present FIR; that the allegation against the petitioner is that the petitioner along with the co-accused had played fraud amounting to the tune of Rs.99,200/-; that out of the said amount, the petitioner's share was Rs.15,000/-; that out of the said amount of Rs.15,000/-, Rs.13,000/- were spent by the petitioner and the remaining Rs.2,000/- were recovered; that the petitioner has been in custody since 31.03.2022 and that as far as other case registered and/or pending against the petitioner is concerned, he is on bail in the said cases.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner is his confessional statement has specifically admitted the fact that he is involved in the present case and that the petitioner is a habitual offender and facing other cases as well. Thus, he does not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 31.03.2022. The petitioner was arrested in FIR No.159 dated 28.03.2022 and thereafter, was indicted in the present case on the basis of his own confessional statement. Recovery has already been effected from the petitioner. As far as other cases registered and/or pending against the petitioner is concerned, he is on bail. Prosecution evidence is yet to conclude. In such circumstances, the trial of the case would take a long time to conclude.

Therefore, no useful purpose would be served by keeping the petitioner

behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

09.12.2022

Aman Jain

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No

(HARNARESH SINGH GILL)

JUDGE