

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44497-2022
DECIDED ON: 17.11.2022

RAJAT

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.169, dated 30.04.2022, under Section 387 of the IPC (Sections 115, 120-B of the IPC added later on), registered at Police Station Sector 5, Gurugram.

Learned counsel for the petitioner contends that the present FIR was got registered on 30.04.2022, after four days of alleged phone call on 26.04.2022. He also submits that the petitioner was not named in the FIR but on the basis of subsequent disclosure statement, he has been roped in the present FIR and was arrested on 11.05.2022. He has further asserted that the petitioner is nothing to do with the present ransom calls and with the Goldy Brar-Lawrence Bishnoi gang and has been falsely implicated in the present case.

On the other hand, learned State counsel has filed custody

certificate of the petitioner today in the Court, which is taken on record. According to the custody certificate, the petitioner is already behind bars for the last 06 months and 06 days. He further submits that the challan was filed in the present case on 09.07.2022 but the charges have not yet been framed. He also submits that the allegations against the petitioner are serious in nature and even after his arrest, he sent a message to the complainant through WhatsApp that with the arrest of 3-4 boys, their gang is not going to be vanished. He also asserts that the Court below has recorded a reason that after dismissal of the first bail application, the second bail application was moved by the petitioner without showing any favorable circumstances.

Looking at the totality of the facts and circumstances and in view of the fact that the challan was filed way back in July, 2022 and charges have not yet been framed, which clearly depict that the trial is likely to take long time and the petitioner is behind bars for the last 06 months and 06 days, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

17.11.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>