

BABALJEET @ BABAL

Versus

....Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. G.S. Madaan, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana

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PANKAJ JAIN, J. (ORAL)CRM-40777-2022

This is an application filed under Section 482 Cr.P.C. for placing on record documents as Annexures P-5, P-6 and P-7.

Notice in the application.

Mr. Ramesh Kumar Ambavta, DAG, Haryana accepts notice on behalf of the respondent-State and pleads no objection.

The application is allowed.

Documents Annexures P-5, P-6 and P-7 are taken on record.

**Main Case**

This is a petition filed under Section 439 Cr.P.C. for seeking grant of concession of regular bail in FIR No.152 dated 14.05.2022 under Section 406, 420, 506 of IPC (Sections 467 and 468 added later on), Police Station Ismailabad, District Kurukshetra (Annexure P-1).

Counsel for the petitioner refers to Annexure P-2 to claim that infact the money in dispute was paid to the complainant and to that extent affidavit was executed by him admitting payment of Rs.2,00,000/- as full and final payment. He further submits that the investigation is complete and the challan has already been presented and thus there could not be any

apprehension that the petitioner shall tamper with any evidence.

Counsel for the respondent-State does not dispute the aforesaid assertions made by the counsel for the petitioner.

On the basis of the custody certificate produced by the State counsel the petitioner has undergone actual custody of 02 months and there are two more cases against the petitioner.

Counsel for the petitioner submits that in the said two cases the petitioner has been granted concession of pre-arrest bail. He relies upon order Annexures P-6 and P-7 to substantiate his plea.

I have heard counsel for the parties and gone through the records of the case.

Without commenting upon the veracity of the compromise referred to by the counsel for the petitioner on the basis of Annexure P-2, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and the challan stand presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

31.10.2022  
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(PANKAJ JAIN)  
JUDGE

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