

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

247

CRM-M-52506-2022

Date of Decision: November 29, 2022

Dharmender Nagar

-----Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vipul Joshi, 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 grant of regular bail to the petitioner in case FIR No.109 dated 21.02.2022 under Sections 419, 420, 467, 468, 471, 120-B and 201 IPC registered at Police Station Pundri, District Kaithal.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody from 29.04.2022 and the Police has already completed the investigation and the challan has been presented before the competent Court. He has further submitted that the similarly situated co-accused, namely, Ashwani, who is at parity with the petitioner, has been granted regular bail by a co-ordinate Bench of this Court vide order dated 31.10.2022 passed in CRM-M-41789-2022. He has further submitted that the petitioner is not a habitual offender and is not involved in any other case and the present case is triable by the Magistrate. He has further submitted that the investigation of the case is complete and the trial of the case may take a long time, therefore, the petitioner may be enlarged on regular bail.

On the other hand, Mr. Naveen Singh Panwar, DAG, Haryana has submitted that it is correct that the petitioner is in custody from 29.04.2022 and is not involved in any other case and the other co-accused, namely, Ashwani has been granted bail by this Court. He has further submitted that so far as the present petitioner is concerned, there had been a recovery of two mobile phones and Rs.10,000/- from him and even from these recovered Mobile Phones he had made connectivity.

I have heard learned counsel for the parties.

The petitioner is stated to be connected with the aforesaid co-accused, namely, Ashwani, who is at parity with the petitioner, except two mobile phones that have been recovered from the present petitioner and he has already faced the incarceration from 29.04.2022. The investigation of the case has been completed and the same is triable by the Magistrate. The petitioner is stated to be not involved in any other offence.

In view of the aforesaid facts and circumstances, the present petition is allowed. The petitioners shall be released on bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/duty Magistrate concerned.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

29.11.2022
Atul

Whether speaking/ reasoned -	Yes/No
Whether reportable -	Yes/No