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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54957-2022

Date of Decision: 02.12.2022

Ananad

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of Code of Criminal Procedure for seeking grant of regular bail in case FIR No.420 dated 09.08.2022 under Section 170, 384, 419, 420, 120-B IPC-1860 registered at Police Station Sadar, Fatehabad, District Fatehabad.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody from 14.08.2022. The police has completed investigation process and challan has been presented. He further submitted that as per the allegations contained in the FIR, 4 persons whose named have not been mentioned in the FIR had come to the premises of the complainant and had demanded Rs. 3 lacs and out of fear he had paid Rs.2,40,000/-and thereafter, they were demanding remaining Rs.60,000/- on the pretext that they belong to some CIA staff. Learned counsel for the petitioner submitted that in fact there was a financial dispute between the parties pertaining to some interlock tiles due to which the present FIR has been registered against the petitioner. Be that as it may, now the investigation of the case has been completed and challan has been presented. The trial of the case may take long time. The petitioner may be considered for grant of regular bail.

Mr. Surinder Kumar Dagar, DAG, Haryana has stated that it is a case where the investigation has completed and the challan has been presented and the petitioner is in custody from 14.08.2022. He has further submitted that the petitioner along with other co-accused has committed extortion of Rs.2.40,000/-from the complainant. He has further submitted that the petitioner is also involved in another case under Section 420 IPC.

I have heard the learned counsels for the parties.

The process of investigation has been completed and the challan has been presented. The allegations pertaining to taking Rs. 2 ,40,000/- from the complainant which can be seen by way of adducing evidence at the time of trial. It is not a case of the learned State counsel that in case the petitioner is released on bail then he may abscond from justice, influence the witnesses and tamper with evidence.

The trial of the case may take long time and therefore in the aforesaid facts and circumstances, this Court is of the view that the petitioner deserves the concession of regular bail.

Consequently, 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 herein above shall not be treated as an expression of opinion on merits of the case & is only meant for the purpose of decision of present petition.

02.12.2022

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(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No