

CRM-M-56718 of 2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-56718 of 2022

Date of Decision: December 12, 2022

Virender Rana @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. Ajay Kumar Gupta, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

AMAN CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.547 dated 22.07.2022, under Sections 420, 467, 468, 471, 506 and 120-B IPC, registered at Police Station Civil Lines Karnal, District Karnal (Annexure P-1).

Learned counsel contends that petitioner has been in custody since 08.08.2022. Co-accused Nepal Singh @ Jony has been granted regular bail vide order dated 22.11.2022, Annexure P-4 passed by this Court as also interim anticipatory bail has been granted to his wife Neeraj by this Court vide order dated 22.11.2022, Annexure P-3 wherein it has been recorded that the parties are ad-idem that there is a possibility of an amicable settlement for which the matter was referred to the Mediation and conciliation Centre of this Court. Learned counsel for the petitioner contends that for the said purpose of mediation the presence of the present petitioner is required for the matter to get settled. He further submits that challan has also been presented and there are 17 witnesses in all. He further submits that as per order passed by this Court in CRM-M-26619 of 2022 dated

16.06.2022, Annexure P-5, the petitioner has deposited the amount in question before the Illaqa/Duty Magistrate on 18.06.2022

Learned State counsel opposes the bail on the ground that the allegations were against the petitioner with regard to the alleged agreement to sell and having received the amount. However, he is unable to controvert the fact that petitioner has been in custody since 08.08.2022 and that charges are yet to be framed and the orders passed by this Court as referred to by the learned counsel for the petitioner.

Heard.

In view of the facts and circumstances of the case, in particular that the petitioner has been in custody since 08.08.2022; challan has been presented; charges are yet to be framed and in all there are 17 witnesses; co-accused have been granted bail; the trial is likely to take a considerable time, his further detention behind bars would not serve any useful purpose thus, the present petition for grant of regular bail deserves to be allowed.

Resultantly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to him not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurize/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of which, he is an accused, or for commission of which he is suspected of.
5. The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.

- 6. The petitioner shall not in any manner misuse his liberty.
- 7. The petitioner shall furnish his address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the appellant seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- 8. The petitioner shall deposit his passport, if any, with the Trial Court forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

It is made clear that in case of breach of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

December 12, 2022
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(AMAN CHAUDHARY)
JUDGE

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