

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-57422-2022 (O&M)

Date of Decision: 20.12.2022

Jitender @ Lambu

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

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 been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 420 dated 09.08.2022, under Sections 170, 384, 419, 420 and 120-B IPC, registered at Police Station Sadar, Fatehabad, District Fatehabad.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 21.08.2022 and the investigation of the case has already been completed and thereafter, the challan has been presented before the competent Court. He submitted that even as per the allegations contained in the FIR, four persons whose names have not been mentioned in the FIR had come at the premises of the complainant and had demanded Rs. 3,00,000/- and out of fear, the complainant had paid Rs. 2,40,000/- and thereafter, they kept on demanding remaining Rs.60,000/- on the pretext that they belong to some CIA

staff. He further submitted that the entire dispute was a financial dispute between the parties pertaining to interlock tiles and the petitioner was falsely implicated in the present case. He further submitted that the petitioner is not a habitual offender and is not involved in any other case. He further submitted that a similar situated co-accused namely Ananad who is at parity with the petitioner has been extended the benefit of regular bail by this Court vide Annexure P-4 in CRM-M-54957-2022 and another co-accused namely, Chanderpal @ Sahil has been granted interim anticipatory bail by this Court in CRM-M-42637-2022. Apart from the above, another co-accused namely Paramjit has also been extended the benefit of regular by this Court in CRM-M-55555-2022 on 06.12.2022.

On the other hand, Mr. Surinder Kumar Dagar, learned Deputy Advocate General, Punjab has submitted that it is correct that the petitioner is in custody from 21.08.2022 and investigation of the case has been completed and thereafter, the challan has been presented and it is also correct that the petitioner is not a habitual offender. He submitted that it is also correct that the petitioner is at parity with the other co-accused who have been extended the benefit of bail.

I have heard the learned counsel for the parties.

The petitioner is in custody from 21.08.2022 and the investigation of the case has already been completed. The petitioner is not a habitual offender and is not involved in any other case as per the learned counsel for the parties. The petitioner is at parity with the other co-accused who have been extended the benefit of bail as per the learned counsel for the parties. Furthermore, it is not the case of the State that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from

justice.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

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 hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

20.12.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)
JUDGE

: Yes/No
: Yes/No