

CRM-M-1636-2023

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2023:PHHC:064405

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

CRM-M-1636-2023

DECIDED ON: 03.05.2023

Vikrant Yadav @ Inu Yadav

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr.Mandeep Nehra, Advocate, for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J

Prayer in this petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No.113 dated 20.04.2021, under Sections 406, 419 and 420 IPC, registered at Police Station Bilaspur, District Yamuna Nagar, Haryana.

The case of the prosecution was registered at the instance of Sh.Deep Chand. As per the allegations, complainant was 10+2 class pass. He was working in Haryana Home Guard Battalion and was posted in Police Station Jathlana. In the year 2017, he came in contact with the petitioner when he was posted in the Haryana Police. Petitioner visited the house of the complainant and represented that he was posted in C.M. Security and had links with Government officers. He could arrange a Government job for him and demanded Rs.2,45,000/- to get him appointed as Clerk in Government Department. Believing upon the version of petitioner, he transferred an amount of Rs.1,00,000/- on

23.03.2020, Rs.50,000/- on 20.06.2020, Rs.45,000/- on 24.06.2020 and Rs.50,000/- on 04.09.2022 in the account of wife of petitioner namely Shalu and she also assured the petitioner that her husband would get a job for him. The petitioner had been lingering on the matter and as and when complainant demanded the money, petitioner threatened him and even threatened to kill him.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 06.01.2022 and the case is triable by Judicial Magistrate. Challan is already presented. Learned counsel has further submitted that keeping in view the custody period of the petitioner, he may be released on bail. In support of his contention, he has placed reliance upon the law laid down by Hon'ble Supreme Court in **Satender Kumar Antil v. Central Bureau of Investigation and Anr. (2012) 1 SCC 40.**

Learned State counsel has opposed the petition. Status Report is already filed. Custody certificate has been filed in Court today and the same is taken on record. State counsel has fairly conceded that petitioner has been in custody for the last one year, three months and twenty six days and three other cases are also pending against him, therefore, this petition for grant of regular bail is liable to be rejected.

Heard.

As per the custody certificate dated 02.05.2023, petitioner has been in custody for a period of one year, three months and twenty six days; case is triable by Judicial Magistrate; the object of the bail is to secure presence of accused person at the trial. The culpability of the

petitioner would be decided in the trial of the case. The pendency of the other cases is not a ground to decline concession of bail to the petitioner since petitioner is already on bail in the said cases.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, concerned.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

03.05.2023

mamta

(GURBIR SINGH)
JUDGE

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